

STATE OF MINNESOTA

EIGHTY-FIFTH SESSION — 2007

 THIRTY-SIXTH DAY

SAINT PAUL, MINNESOTA, SATURDAY, MARCH 24, 2007

The House of Representatives convened at 10:00 a.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by the Reverend Paul Rogers, House Chaplain.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Anderson, B.	Dill	Heidgerken	Lenczewski	Norton	Slocum
Anderson, S.	Dittrich	Hilstrom	Liebling	Olin	Smith
Anzelc	Dominguez	Hilty	Lieder	Olson	Solberg
Atkins	Doty	Holberg	Lillie	Otremba	Sviggum
Beard	Eastlund	Hoppe	Loeffler	Ozment	Swails
Benson	Eken	Hornstein	Madore	Paymar	Thao
Berns	Emmer	Hortman	Magnus	Pelowski	Thissen
Bigham	Erhardt	Hosch	Mahoney	Peterson, A.	Tillberry
Bly	Erickson	Howes	Mariani	Peterson, N.	Tschumper
Brown	Faust	Huntley	Marquart	Peterson, S.	Urdahl
Brynaert	Finstad	Jaros	Masin	Poppe	Wagenius
Buesgens	Fritz	Johnson	McFarlane	Rukavina	Ward
Bunn	Gardner	Juhnke	McNamara	Ruth	Wardlow
Carlson	Garofalo	Kahn	Moe	Ruud	Welti
Clark	Gottwalt	Kalin	Morgan	Sailer	Westrom
Cornish	Greiling	Knuth	Morrow	Seifert	Winkler
Davnie	Gunther	Koenen	Mullery	Sertich	Wollschlager
Dean	Hackbarth	Kohls	Murphy, E.	Severson	Zellers
DeLaForest	Hamilton	Kranz	Murphy, M.	Simon	Spk. Kelliher
Demmer	Hansen	Laine	Nelson	Simpson	
Dettmer	Haws	Lanning	Nornes	Slawik	

A quorum was present.

Brod, Hausman, Lesch, Paulsen and Scalze were excused.

Walker was excused until 10:20 a.m. Tingelstad was excused until 10:30 a.m. Peppin was excused until 10:50 a.m. Shimanski was excused until 10:55 a.m. Abeler was excused until 11:20 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Gardner moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 173, A bill for an act relating to human services; increasing payment rates for nursing facilities in specified counties to the geographic group III median rate; amending Minnesota Statutes 2006, section 256B.431, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Finance without further recommendation.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 192, A bill for an act relating to human services; placing nursing facilities in the county of Meeker into a different geographic group; amending Minnesota Statutes 2006, section 256B.431, subdivision 2b.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Finance without further recommendation.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 221, A bill for an act relating to human services; increasing the rate reimbursement for a day training and habilitation provider in Meeker County; requiring the Department of Human Services to draft legislation addressing the disparity between per diem rate reimbursements for day training and habilitation providers across the state.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Finance without further recommendation.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 294, A bill for an act relating to state government; modifying the structure of the Pollution Control Agency; amending Minnesota Statutes 2006, sections 116.02, subdivisions 1, 4; 116.03, subdivisions 1, 2; repealing Minnesota Statutes 2006, section 116.02, subdivisions 6, 7, 8, 9, 10.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations, Reform, Technology and Elections.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 399, A bill for an act relating to health; establishing the Long-Term Care Patient Access to Pharmaceuticals Act; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 151.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 151.19, subdivision 2, is amended to read:

Subd. 2. **Nonresident pharmacies.** The board shall require and provide for an annual nonresident special pharmacy registration for all pharmacies located outside of this state that regularly dispense medications for Minnesota residents and mail, ship, or deliver prescription medications into this state. Nonresident special pharmacy registration shall be granted by the board upon the disclosure and certification by a pharmacy:

(1) that it is licensed in the state in which the dispensing facility is located and from which the drugs are dispensed;

(2) the location, names, and titles of all principal corporate officers and all pharmacists who are dispensing drugs to residents of this state;

(3) that it complies with all lawful directions and requests for information from the Board of Pharmacy of all states in which it is licensed or registered, except that it shall respond directly to all communications from the board concerning emergency circumstances arising from the dispensing of drugs to residents of this state;

(4) that it maintains its records of drugs dispensed to residents of this state so that the records are readily retrievable from the records of other drugs dispensed;

(5) that it cooperates with the board in providing information to the Board of Pharmacy of the state in which it is licensed concerning matters related to the dispensing of drugs to residents of this state; ~~and~~

(6) that during its regular hours of operation, but not less than six days per week, for a minimum of 40 hours per week, a toll-free telephone service is provided to facilitate communication between patients in this state and a pharmacist at the pharmacy who has access to the patients' records; the toll-free number must be disclosed on the label affixed to each container of drugs dispensed to residents of this state; ~~and~~ and

(7) that, upon request of a resident of a long-term care facility located within the state of Minnesota or by an agent of the resident, the pharmacy will dispense medications prescribed for the resident in unit-dose packaging or, alternatively, comply with the provisions of section 151.415, subdivision 5.

Sec. 2. **[151.415] LONG-TERM CARE RESIDENT ACCESS TO PHARMACEUTICALS ACT.**

Subdivision 1. **Title; citation.** This section may be cited as the "Long-Term Care Resident Access to Pharmaceuticals Act."

Subd. 2. **Definitions.** For the purposes of this section, the following terms have the meanings given them unless otherwise provided by text:

(a) "Board" means the Board of Pharmacy.

(b) "Contract pharmacy" means a pharmacy, licensed under this chapter, which is under contract to a long-term care facility.

(c) "Long-term care facility" has the meaning given in section 256.9741, subdivision 1.

(d) "Original dispensing pharmacy" shall mean a pharmacy, licensed in any state in the United States, which dispenses drugs in bulk prescription containers to a person who is a resident in a long-term care facility.

Subd. 3. Authorization to administer and repackage drugs. (a) A contract pharmacist or pharmacy may repackage a resident's prescription drugs, which have been lawfully dispensed from bulk prescription containers by an original dispensing pharmacy, into a unit-dose system compatible with the system used by the long-term care facility.

(b) A long-term care facility may administer drugs to residents of the facility that have been repackaged according to this subdivision.

(c) Drugs may be dispensed for and administered to a resident of a long-term care facility according to this subdivision, provided that:

(1) the drug is dispensed by the original dispensing pharmacy according to a current, valid prescription;

(2) the original bulk prescription container for the resident is delivered by the original dispensing pharmacy directly to the contract pharmacist or pharmacy;

(3) the contract pharmacist or pharmacy verifies the name and strength of the drug, the name of the manufacturer of the drug, the manufacturer's lot or control number, the manufacturer's expiration date for the drug, and the date the drug was dispensed by the original dispensing pharmacy;

(4) the contract pharmacist or pharmacy verifies the validity and accuracy of the current prescription order;

(5) the contract pharmacist or pharmacy repackages the drug in board-approved unit-dose packaging, with labeling that complies with Minnesota Rules, part 6800.6300, and that identifies that the drug has been repackaged according to this section;

(6) the resident for whom the medication is repackaged obtains medications from or receives medications at a discounted rate from the original dispensing pharmacy under the resident's state or federal health assistance program or a private health insurance plan; and

(7) the resident for whom the medication is to be repackaged, or the resident's authorized representative, has signed an informed consent form provided by the facility which includes an explanation of the repackaging process and which notifies the resident of the immunities from liability provided in this section.

Subd. 4. Maintenance of records. For each drug repackaged by a contract pharmacy under this section, the contract pharmacy shall maintain a record for at least two years of the following information:

(1) the name, manufacturer, manufacturer's lot number, manufacturer's expiration date, and quantity of the drug prescribed;

(2) the name and address of the resident for whom the drug was repackaged;

(3) the name and address or other identifier of the prescriber;

(4) the date the prescription was issued and the date the drug was repackaged;

(5) the date the repackaged drug was delivered to the long-term care facility;

(6) the directions for use;

(7) a copy of the label that was affixed to the repackaged drug;

(8) the initials of the packager;

(9) the initials of the supervising pharmacist; and

(10) the name and business address of the original dispensing pharmacy.

Subd. 5. Duties of the original dispensing pharmacy. Upon request of the resident, the resident's authorized representative, or a contract pharmacy or licensed health care facility acting on behalf of the resident, the original dispensing pharmacy is required to deliver medications dispensed for the resident directly to the contract pharmacist or pharmacy. The original dispensing pharmacy is further required to provide the contract pharmacist or pharmacy with the name and strength of the drug, the name of the manufacturer of the drug, the manufacturer's lot or control number, the manufacturer's expiration date for the drug, and the date the drug was dispensed.

Subd. 6. Redispensing of returned drugs prohibited. Unused drugs repackaged according to this section that are returned to any pharmacy shall not be redispensed.

Subd. 7. Immunity from civil liability. (a) A contract pharmacist or pharmacy and its employees or agents repackaging a drug acquired from an original dispensing pharmacy shall be immune from civil liability arising from harm caused by the drug due to acts or omissions of other persons outside of the contract pharmacist or pharmacy if the contract pharmacist or pharmacy properly repackages the drug according to this section.

(b) A long-term care facility and the facility's employees or agents who properly administer a drug repackaged by a contract pharmacist or pharmacy under this section shall be immune from civil liability arising from harm caused by the drug due to acts or omissions of other persons outside the long-term care facility.

Subd. 8. Handling fee. A contract pharmacist or pharmacy may charge a monthly fee of no more than 250 percent of the medical assistance program dispensing fee for each drug repackaged according to this section, but no more than \$100 per month for each individual resident."

Delete the title and insert:

"A bill for an act relating to health; establishing the Long-Term Resident Access to Pharmaceuticals Act; amending Minnesota Statutes 2006, section 151.19, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 151."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 408, A bill for an act relating to human services; allowing certain people to provide independent living skills services; regulating Centers for Independent Living; amending Minnesota Statutes 2006, section 256B.49, subdivision 16, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 256B.0621, subdivision 11, is amended to read:

Subd. 11. **Data use agreement; notice of relocation assistance.** The commissioner shall ~~execute a data use agreement with the Centers for Medicare and Medicaid Services to obtain the long-term care minimum data set data to assist residents of nursing facilities who have~~ establish a process with the Centers for Independent Living that allows a person residing in a Minnesota nursing facility to receive needed information, consultation, and assistance from one of the centers about the available community support options that may enable the person to relocate to the community, if the person: (1) is under the age of 65, (2) has indicated a desire to live in the community.—The commissioner shall in turn enter into agreements with the Centers for Independent Living to provide information about assistance for persons who want to move to the community. The commissioner shall work with the Centers for Independent Living on both the content of the information to be provided and privacy protections for the individual residents, and (3) has signed a release of information authorized by the person or the person's appointed legal representative. The process established under this subdivision shall be coordinated with the long-term care consultation service activities established in section 256B.0911.

Sec. 2. Minnesota Statutes 2006, section 256B.0911, subdivision 3b, is amended to read:

Subd. 3b. **Transition assistance.** (a) A long-term care consultation team shall provide assistance to persons residing in a nursing facility, hospital, regional treatment center, or intermediate care facility for persons with developmental disabilities who request or are referred for assistance. Transition assistance must include assessment, community support plan development, referrals to Minnesota health care programs, and referrals to programs that provide assistance with housing. Transition assistance must also include information about the Centers for Independent Living and about other organizations that can provide assistance with relocation efforts, and information about contacting these organizations to obtain their assistance and support.

(b) The county shall develop transition processes with institutional social workers and discharge planners to ensure that:

(1) persons admitted to facilities receive information about transition assistance that is available;

(2) the assessment is completed for persons within ten working days of the date of request or recommendation for assessment; and

(3) there is a plan for transition and follow-up for the individual's return to the community. The plan must require notification of other local agencies when a person who may require assistance is screened by one county for admission to a facility located in another county.

(c) If a person who is eligible for a Minnesota health care program is admitted to a nursing facility, the nursing facility must include a consultation team member or the case manager in the discharge planning process.

Sec. 3. Minnesota Statutes 2006, section 256B.49, subdivision 11, is amended to read:

Subd. 11. **Authority.** (a) The commissioner is authorized to apply for home and community-based service waivers, as authorized under section 1915(c) of the Social Security Act to serve persons under the age of 65 who are determined to require the level of care provided in a nursing home and persons who require the level of care provided in a hospital. The commissioner shall apply for the home and community-based waivers in order to:

- (i) promote the support of persons with disabilities in the most integrated settings;
- (ii) expand the availability of services for persons who are eligible for medical assistance;
- (iii) promote cost-effective options to institutional care; and
- (iv) obtain federal financial participation.

(b) The provision of waived services to medical assistance recipients with disabilities shall comply with the requirements outlined in the federally approved applications for home and community-based services and subsequent amendments, including provision of services according to a service plan designed to meet the needs of the individual. For purposes of this section, the approved home and community-based application is considered the necessary federal requirement.

(c) The commissioner shall provide interested persons serving on agency advisory committees ~~and~~ task forces, the Centers for Independent Living, and others upon who request, with to be on a list to receive, notice of, and an opportunity to comment on, at least 30 days before any effective dates, (1) any substantive changes to the state's disability services provider manual, or (2) changes or amendments to the federally approved applications for home and community-based waivers, prior to their submission to the federal Centers for Medicare and Medicaid Services.

(d) The commissioner shall seek approval, as authorized under section 1915(c) of the Social Security Act, to allow medical assistance eligibility under this section for children under age 21 without deeming of parental income or assets.

(e) The commissioner shall seek approval, as authorized under section 1915(c) of the Social Act, to allow medical assistance eligibility under this section for individuals under age 65 without deeming the spouse's income or assets.

Sec. 4. Minnesota Statutes 2006, section 256B.49, is amended by adding a subdivision to read:

Subd. 16a. **Medical assistance reimbursement.** (a) The commissioner shall seek federal approval for medical assistance reimbursement of independent living skills services, foster care waiver service, supported employment, prevocational service, structured day service, and adult day care under the home and community-based waiver for persons with a traumatic brain injury, the community alternatives for disabled individuals waivers, and the community alternative care waivers.

(b) Medical reimbursement shall be made only when the provider demonstrates evidence of its capacity to meet basic health, safety, and protection standards through one of the methods in paragraphs (c) to (e).

(c) The provider is licensed to provide services under chapter 245B and agrees to apply these standards to services funded through the traumatic brain injury, community alternatives for disabled, or community alternative care home and community-based waivers.

(d) The local agency contracting for the services certifies on a form provided by the commissioner that the provider has the capacity to meet the individual needs as identified in each person's individual service plan. When certifying that the service provider meets the necessary provider qualifications, the local agency shall verify that the provider has policies and procedures governing the following:

(1) protection of the consumer's rights and privacy;

(2) risk assessment and planning;

(3) record keeping and reporting of incidents and emergencies with documentation of corrective action if needed;

(4) service outcomes, regular reviews of progress, and periodic reports;

(5) complaint and grievance procedures;

(6) service termination or suspension;

(7) necessary training and supervision of direct care staff that includes:

(i) documentation in personnel files of 20 hours of orientation training in providing training related to service provision;

(ii) training in recognizing the symptoms and effects of certain disabilities, health conditions, and positive behavioral supports and interventions; and

(iii) a minimum of five hours of related training annually; and

(8) when applicable, the local agency shall verify that the provider has policies and procedures in place governing the following:

(i) safe medication administration;

(ii) proper handling of consumer funds; and

(iii) behavioral interventions that are in compliance with prohibitions and standards developed by the commissioner to meet federal requirements regarding the use of restraints and restrictive interventions.

(e) For foster care waiver services or independent living skills services, the local agency contracting for the services certifies on a form provided by the commissioner that the provider meets the following:

(1) the provider of foster care waiver services is licensed to provide adult foster care under Minnesota Rules, parts 9555.5105 to 9555.6265, or child foster care under Minnesota Rules, parts 2960.3000 to 2960.3230;

(2) the provider of independent living skills services also provides licensed foster care services and agrees to apply the following foster care standards: Minnesota Rules, parts 9555.5105; 9555.5705, subpart 2; 9555.6167; 9555.6185; 9555.6195; 9555.6225, subpart 8; 9555.6245; 9555.6255; and 9555.6265, or parts 2960.3010; 2960.3080, subparts 10 and 11; 2960.3210; 2960.3220, subparts 5 to 7; and 2960.3230, for the provision of those services; and

(3) the provider has policies and procedures applying to the provision of foster care waiver services or independent living skills services that govern (i) behavioral interventions that are in compliance with prohibitions and standards developed by the commissioner to meet federal requirements regarding the use of restraints and restrictive interventions and (ii) documentation of service needs and outcomes, regular reviews of progress, and periodic reports.

(f) The local agency shall review each provider's continued compliance with the basic health, safety, and protection standards on a regular basis. For the review of paragraph (e), the local agency shall coordinate the review with the county review of foster care licensure.

EFFECTIVE DATE. This section is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to human services; regulating Centers for Independent Living and establishing provider standards for medical assistance waivers; providing guidelines for medical assistance reimbursement; amending Minnesota Statutes 2006, sections 256B.0621, subdivision 11; 256B.0911, subdivision 3b; 256B.49, subdivision 11, by adding a subdivision."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 609, A bill for an act relating to human services; modifying food stamp requirements; amending Minnesota Statutes 2006, section 256J.77; proposing coding for new law in Minnesota Statutes, chapter 256D.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Finance without further recommendation.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 663, A bill for an act relating to human services; increasing nursing facility payment rates to the 60th percentile rate; amending Minnesota Statutes 2006, section 256B.434, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Finance without further recommendation.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 683, A bill for an act relating to health; proposing an amendment to the Minnesota Constitution, article XIII, by adding a section, affirming that every resident of Minnesota has the right to affordable health care.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 915, A bill for an act relating to human services; increasing payment rates for nursing facilities in Steele County to the geographic group III median rate; amending Minnesota Statutes 2006, section 256B.434, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Finance without further recommendation.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 917, A bill for an act relating to public health; prohibiting the use or sale of lice and scabies treatment products that contain the pesticide Lindane; proposing coding for new law in Minnesota Statutes, chapter 325F.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **LINDANE COMMITTEE.**

The commissioner of health shall create a committee of stakeholders, including at least one environmental health research scientist and at least one parent consumer advocate, to review the scientific literature and make recommendations to the legislature on the health impact of Lindane on children and report back by January 15, 2008."

Delete the title and insert:

"A bill for an act relating to public health; directing the commissioner of health to study and report back on the effect of the pesticide Lindane on children."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 970, A bill for an act relating to human services; increasing payment rates for nursing facilities in Dodge and other specified counties to the Olmsted County median rate; amending Minnesota Statutes 2006, section 256B.434, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Finance without further recommendation.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1063, A bill for an act relating to environment; adopting the Uniform Environmental Covenants Act; amending Minnesota Statutes 2006, sections 115.072; 115B.17, subdivision 15; proposing coding for new law as Minnesota Statutes, chapter 114E.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 1075, A bill for an act relating to human services; increasing payment rates for a nursing facility in Koochiching County; appropriating money; amending Minnesota Statutes 2006, section 256B.434, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Finance without further recommendation.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1382, A bill for an act relating to environment; restricting the use of phosphorus in household dishwasher detergent; amending Minnesota Statutes 2006, section 116.23.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1420, A bill for an act relating to environment; modifying licensing requirements for design, installation, maintenance, inspection, or operation of individual sewage treatment systems; amending Minnesota Statutes 2006, section 115.56, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 25, before the period, insert "and the local unit of government has not adopted additional requirements"

Page 2, line 28, before the period, insert "and the local unit of government has not adopted additional requirements"

Page 2, after line 28, insert:

"Sec. 2. **REPORT.**

The commissioner of the Pollution Control Agency must report to the legislative committees with jurisdiction on environmental policy by February 15, 2008, after consulting with officials from the Minnesota Onsite Wastewater Association; the Minnesota Society of Professional Engineers; the American Council of Engineering Companies; the Minnesota Association of Professional Soil Scientists; the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design; the Geoscience Professional Organization; the University of Minnesota Water Resources Center; the Association of Minnesota Counties; the Minnesota Association of Small Cities; and the Minnesota Association of Townships, on further issues relating to the licensing of individual sewage treatment systems.

Sec. 3. **EFFECTIVE DATE.**

This act is effective the day following final enactment and expires December 31, 2010."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "requiring a report;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1477, A bill for an act relating to the environment; modifying provisions for disclosure of individual sewage treatment systems; amending Minnesota Statutes 2006, section 115.55, subdivision 6.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 1580, A bill for an act relating to human services; modifying adult foster care and family adult day services license requirements; amending Minnesota Statutes 2006, sections 245A.11, subdivision 2b; 245A.143, subdivision 1.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Finance without further recommendation.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 1618, A bill for an act relating to state employees; requiring that health insurance benefits be made available to domestic partners of state employees if they are also made available to spouses; amending Minnesota Statutes 2006, sections 43A.02, by adding a subdivision; 43A.24, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 9, delete "a person" and insert "an adult 18 years and older"

Page 1, line 10, delete "of the same sex"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 1633, A bill for an act relating to veterinary medicine; defining certain terms; changing certain requirements for provision of animal husbandry; amending Minnesota Statutes 2006, sections 156.001, by adding subdivisions; 156.12, subdivision 1; repealing Minnesota Statutes 2006, section 156.075.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 156.001, is amended by adding a subdivision to read:

Subd. 3a. **Animal chiropractic.** "Animal chiropractic" means a system of treating diseases by manipulation of the vertebral column.

Sec. 2. Minnesota Statutes 2006, section 156.001, is amended by adding a subdivision to read:

Subd. 3b. **Artificial insemination.** "Artificial insemination" means the implanting of live spermatozoa into a female animal.

Sec. 3. Minnesota Statutes 2006, section 156.001, is amended by adding a subdivision to read:

Subd. 6b. **Farriery.** "Farriery" means techniques used by a farrier or blacksmith including trimming hooves and making, fitting, and remodeling horseshoes.

Sec. 4. Minnesota Statutes 2006, section 156.001, is amended by adding a subdivision to read:

Subd. 8a. **Massage.** "Massage" means systematic therapeutic stroking or kneading of the body or a specific body part of an animal to improve circulation and muscle function, release scar tissue, or produce relaxation.

Sec. 5. Minnesota Statutes 2006, section 156.001, is amended by adding a subdivision to read:

Subd. 10a. **Teeth floating.** "Teeth floating" for horses and other equine animals means:

(1) removal of enamel points from teeth with hand-held, nonmotorized, non-air-powered files or rasps;

(2) reestablishing normal molar table angles and freeing up lateral excursion and other normal movements of the mandible;

(3) shaping the lingual aspect of the lower arcades and the buccal aspect of the upper arcades to a rounded smooth surface; and

(4) removing points from the buccal aspect of the upper arcade and the lingual aspect of the lower arcade.

Sec. 6. Minnesota Statutes 2006, section 156.12, subdivision 1, is amended to read:

Subdivision 1. **Practice.** (a) The practice of veterinary medicine, as used in this chapter, shall mean the diagnosis, treatment, correction, relief, or prevention of animal disease, deformity, defect, injury, or other physical or mental conditions; the performance of obstetrical procedures for animals, including determination of pregnancy and correction of sterility or infertility; and the rendering of advice or recommendations with regard to any of the above. The practice of veterinary medicine shall include but not be limited to the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic, or other therapeutic or diagnostic substance or technique.

(b) The practice of veterinary medicine shall not be construed to include the dehorning of cattle and goats ~~or~~, the castration of cattle, swine, goats, and sheep, ~~or~~ the docking of sheep, artificial insemination, teeth floating, farriery, animal chiropractic, massage, or other treatments of similar or less risk or requiring similar or less formal veterinary education employed to maintain domestic animals in good health.

Sec. 7. **REPEALER.**

Minnesota Statutes 2006, section 156.075, is repealed."

Amend the title as follows:

Page 1, line 3, delete "requirements for provision of animal husbandry" and insert "exemptions from practice definition"

With the recommendation that when so amended the bill pass.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 1683, A bill for an act relating to agriculture; extending the prohibition on certain new open air swine basins; amending Minnesota Statutes 2006, section 116.0714.

Reported the same back with the following amendments:

Page 1, line 12, reinstate the stricken language and strike "2007" and insert "2012"

With the recommendation that when so amended the bill pass.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 1725, A bill for an act relating to human services; providing a planning grant for a youth treatment center in northern Minnesota; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Finance without further recommendation.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1726, A bill for an act relating to health; establishing the Health Records Act; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 2006, section 144.335.

Reported the same back with the following amendments:

Page 6, line 9, after the period, insert "The Minnesota Department of Health may not access the record locator service or receive data from the record locator service."

Page 11, line 18, delete "the next bound volume of"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 1838, A bill for an act relating to agriculture; regulating certain pesticide applications; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 18B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[18B.40] EMPLOYEE INFORMATION.**

Subdivision 1. **Notice.** A railroad company commercially applying pesticide to its track or right-of-way must give at least 48 hours advance written notice of the pesticide application to all employees who could reasonably be required to work in the area to which pesticide is to be applied. This notice must specify the location, date, and estimated time when pesticide application is anticipated to occur. The notice must also specify the active

ingredients of the pesticides anticipated to be applied and specify in terms comprehensible to a layman the potential short-term and long-term effects of these active ingredients on humans. The notice must specify the scientifically determined or the pesticide manufacturer's recommended time period after pesticide application until humans can safely occupy and work in an area in which pesticide application has occurred.

Subd. 2. **Working in pesticide area.** A railroad company may not require an employee or an employee of a contractor or subcontractor, other than the pesticide applicator, to work in an area in which pesticide application has occurred until the time period specified in subdivision 1 for safe return to the area has elapsed. The railroad company must furnish personal protective equipment sufficient to preserve the employee's health to each of its employees and to each employee of each of its contractors or subcontractors working in an area where pesticide has recently been applied.

Subd. 3. **Use of equipment.** No employee may be required to handle or operate any track appurtenance, track switch, track derail appliance, rolling stock, safety appliances, locomotive equipment, or track repair machinery known to have been sprayed with pesticide or other retardant chemical until the track structure or moveable equipment has been thoroughly spray washed with clean water from an inspected well or public source of water. Rain or snowfall must not be considered a qualified spray washing.

Subd. 4. **Health hazard.** No employee may be required to work in or occupy an area where pesticide has recently been applied if that employee reasonably believes that action to be hazardous to the employee's health.

Sec. 2. **[18B.41] PESTICIDE APPLICATION LIMITATIONS.**

Subdivision 1. **Occupied equipment.** No railroad may apply pesticide in a manner so as to adversely affect occupants of adjoining locomotives, track repair equipment, off-track vehicles, mobile camp cars, or stationary buildings.

Subd. 2. **Bridges and waterways.** No railroad may apply pesticide to the decks of bridges, to the surface of rivers or lakes crossed by that railroad's tracks, or to any area marked and designated as a pesticide-free zone.

Sec. 3. **[18B.42] ENFORCEMENT.**

The commissioner of agriculture must investigate complaints of violation of section 18B.40 or 18B.41. If a violation is found, the commissioner must order correction of the violation. The commissioner may use normal administrative procedures to enforce that order.

Sec. 4. **APPROPRIATION.**

\$..... in fiscal year 2008 is appropriated from the general fund to the commissioner of agriculture for administration of Minnesota Statutes, sections 18B.40 to 18B.42.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to agriculture; regulating certain pesticide applications; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 18B."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 2100, A bill for an act relating to public health; protecting reproductive health and the health of children; prohibiting Bisphenol-A and Phthalates in products for young children; proposing coding for new law in Minnesota Statutes, chapter 325F.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section. 1. **[325.172] BISPENOL-A IN PRODUCTS FOR CHILDREN.**

Subd. 1. **Bisphenol-A and phthalates committee.** The commissioner of health shall create a committee under the direction of the environmental health division of the Department of Health to study the scientific literature and make recommendations to the legislature on the health impact of bisphenol-A and phthalates on children in products intended for use by young children, including, but not limited to, toys, pacifiers, baby bottles, and teethers, and report back by January 2, 2008. The committee shall also identify least harmful alternatives. Of the seven committee members at least one shall be a representative of the Department of Health, one shall be a representative of environmental health sciences research, one shall be a representative of the Minnesota Nurses Association, one shall be a representative of environmental health consumer advocates, one shall be a member of a children's product manufacturer's association, and one shall be a representative of other health sciences.

Subd. 2. **Definitions.** For the purposes of this section, the following terms have the meanings given them:

(a) "Toy" means all products designed or intended by the manufacturer to be used by children when they play.

(b) "Child care article" means all products designed or intended by the manufacturer to facilitate sleep, relaxation, or the feeding of children or to help children with sucking or teething."

Delete the title and insert:

"A bill for an act relating to public health; establishing a bisphenol-A and phthalates committee; requiring a study and report; proposing coding for new law in Minnesota Statutes, chapter 325."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 2254, A bill for an act relating to human services; modifying payment rates for services to ventilator-dependent persons provided by a nursing facility in Waseca County; amending Minnesota Statutes 2006, section 256B.431, subdivision 2e.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Finance without further recommendation.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1063, 1382, 1477, 1633 and 1683 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Dill introduced:

H. F. No. 2347, A bill for an act relating to retirement; requiring payment of disability benefits to certain persons.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Erhardt introduced:

H. F. No. 2348, A bill for an act relating to property taxation; providing a property tax refund for owners of noncommercial seasonal-recreational property; amending Minnesota Statutes 2006, sections 290A.03, by adding subdivisions; 290A.04, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Faust and Kalin introduced:

H. F. No. 2349, A bill for an act relating to commerce; alcohol sales; defining a "person of questionable character" to include any person whose driver's license restricts the person from consuming any alcohol at any time.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Brod and McFarlane introduced:

H. F. No. 2350, A bill for an act relating to health; prohibiting the use of certain vaccines containing mercury or mercury compounds; requiring providers to notify patients when a vaccine contains more than a trace amount of mercury; amending Minnesota Statutes 2006, section 121A.15, subdivision 3a.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Johnson, Thissen, Beard, Hoppe and Kranz introduced:

H. F. No. 2351, A bill for an act relating to telecommunications; amending regulation of cable communications systems; providing regulation of state-authorized video service providers; amending Minnesota Statutes 2006, sections 238.02, by adding subdivisions; 238.03; proposing coding for new law in Minnesota Statutes, chapter 238.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Demmer introduced:

H. F. No. 2352, A bill for an act relating to education; giving high school science teachers adequate time for planning and laboratory preparation, setup, and cleanup; appropriating money.

The bill was read for the first time and referred to the Committee on Finance.

Hortman introduced:

H. F. No. 2353, A bill for an act relating to transportation; creating Congestion Reduction Task Force; requiring application for Urban Partnership agreement; authorizing participation in Urban Partnership program; requiring report.

The bill was read for the first time and referred to the Transportation Finance Division.

Fritz introduced:

H. F. No. 2354, A bill for an act relating to the state of Minnesota; creating a State Amusement Ride; proposing coding for new law in Minnesota Statutes, chapter 1.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Erickson introduced:

H. F. No. 2355, A bill for an act relating to education finance; setting criteria for allowable uses of health and safety revenue; amending Minnesota Statutes 2006, section 123B.57, subdivisions 1, 2, 6, 8, by adding a subdivision.

The bill was read for the first time and referred to the Committee on E-12 Education.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate files, herewith transmitted:

S. F. Nos. 547, 1053, 585, 252, 144, 1332 and 1133.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 547, A bill for an act relating to Scott County; making the library board advisory to the county board.

The bill was read for the first time.

Beard moved that S. F. No. 547 and H. F. No. 531, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1053, A bill for an act relating to Ramsey County; modifying corrections provisions; amending Minnesota Statutes 2006, section 383A.08, subdivisions 6, 7.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

S. F. No. 585, A bill for an act relating to local government; removing restrictions on the sale or lease of certain property listed on the National Register of Historic Places; repealing Minnesota Statutes 2006, section 15.995.

The bill was read for the first time and referred to the Committee on Finance.

S. F. No. 252, A bill for an act relating to energy; designating Elk River as Minnesota's energy city; proposing coding for new law in Minnesota Statutes, chapter 1.

The bill was read for the first time.

Hackbarth moved that S. F. No. 252 and H. F. No. 86, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 144, A bill for an act relating to the county of Winona; authorizing ownership of electric power generation facilities and granting related powers.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

S. F. No. 1332, A bill for an act relating to local government; permitting Meeker County EDA to increase its membership to nine members; amending Laws 1998, chapter 389, article 11, section 25, subdivision 1.

The bill was read for the first time.

Urdahl moved that S. F. No. 1332 and H. F. No. 1429, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1133, A bill for an act relating to St. Louis County; modifying civil service director provisions; amending Minnesota Statutes 2006, section 383C.032.

The bill was read for the first time.

Huntley moved that S. F. No. 1133 and H. F. No. 1432, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

H. F. No. 1267 was reported to the House.

Upon the objection of 10 members H. F. No. 1267 was stricken from the Consent Calendar and placed on the General Register.

H. F. No. 270, A bill for an act relating to habitual truants; removing a provision relating to termination of jurisdiction; amending Minnesota Statutes 2006, section 260C.193, subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dill	Heidgerken	Lenczewski	Norton	Slocum
Anderson, S.	Dittrich	Hilstrom	Liebling	Olin	Smith
Anzelc	Dominguez	Hilty	Lieder	Olson	Solberg
Atkins	Doty	Holberg	Lillie	Otremba	Sviggum
Beard	Eastlund	Hoppe	Loeffler	Ozment	Swails
Benson	Eken	Hornstein	Madore	Paymar	Thao
Berns	Emmer	Hortman	Magnus	Pelowski	Thissen
Bigham	Erhardt	Hosch	Mahoney	Peterson, A.	Tillberry
Bly	Erickson	Howes	Mariani	Peterson, N.	Tschumper
Brown	Faust	Huntley	Marquart	Peterson, S.	Urdahl
Brynaert	Finstad	Jaros	Masin	Poppe	Wagenius
Buesgens	Fritz	Johnson	McFarlane	Rukavina	Ward
Bunn	Gardner	Juhnke	McNamara	Ruth	Wardlow
Carlson	Garofalo	Kahn	Moe	Ruud	Welti
Clark	Gottwalt	Kalin	Morgan	Sailer	Westrom
Cornish	Greiling	Knuth	Morrow	Seifert	Winkler
Davnie	Gunther	Koenen	Mullery	Sertich	Wollschlager
Dean	Hackbarth	Kohls	Murphy, E.	Severson	Zellers
DeLaForest	Hamilton	Kranz	Murphy, M.	Simon	Spk. Kelliher
Demmer	Hansen	Laine	Nelson	Simpson	
Dettmer	Haws	Lanning	Nornes	Slawik	

The bill was passed and its title agreed to.

H. F. No. 2205, A bill for an act relating to crimes; providing for applicability of certain old sex offender provisions for crimes committed before enactment of new sex offender law; amending Minnesota Statutes 2006, section 609.3455, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dill	Heidgerken	Lenczewski	Norton	Slocum
Anderson, S.	Dittrich	Hilstrom	Liebling	Olin	Smith
Anzelc	Dominguez	Hilty	Lieder	Olson	Solberg
Atkins	Doty	Holberg	Lillie	Otremba	Sviggum
Beard	Eastlund	Hoppe	Loeffler	Ozment	Swails
Benson	Eken	Hornstein	Madore	Paymar	Thao
Berns	Emmer	Hortman	Magnus	Pelowski	Thissen
Bigham	Erhardt	Hosch	Mahoney	Peterson, A.	Tillberry
Bly	Erickson	Howes	Mariani	Peterson, N.	Tschumper
Brown	Faust	Huntley	Marquart	Peterson, S.	Urdahl
Brynaert	Finstad	Jaros	Masin	Poppe	Wagenius
Buesgens	Fritz	Johnson	McFarlane	Rukavina	Walker
Bunn	Gardner	Juhnke	McNamara	Ruth	Ward
Carlson	Garofalo	Kahn	Moe	Ruud	Wardlow
Clark	Gottwalt	Kalin	Morgan	Sailer	Walti
Cornish	Greiling	Knuth	Morrow	Seifert	Westrom
Davnie	Gunther	Koenen	Mullery	Sertich	Winkler
Dean	Hackbarth	Kohls	Murphy, E.	Severson	Wollschlager
DeLaForest	Hamilton	Kranz	Murphy, M.	Simon	Zellers
Demmer	Hansen	Laine	Nelson	Simpson	Spk. Kelliher
Dettmer	Haws	Lanning	Nornes	Slawik	

The bill was passed and its title agreed to.

H. F. No. 1542, A bill for an act relating to public safety; specifying amount of methamphetamine precursor drugs that consumers may purchase; amending Minnesota Statutes 2006, section 152.02, subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dean	Finstad	Holberg	Kohls	McFarlane
Anderson, S.	DeLaForest	Fritz	Hoppe	Kranz	McNamara
Anzelc	Demmer	Gardner	Hornstein	Laine	Moe
Atkins	Dettmer	Garofalo	Hortman	Lanning	Morgan
Beard	Dill	Gottwalt	Hosch	Lenczewski	Morrow
Benson	Dittrich	Greiling	Howes	Lieder	Mullery
Berns	Dominguez	Gunther	Huntley	Lillie	Murphy, E.
Bigham	Doty	Hackbarth	Jaros	Loeffler	Murphy, M.
Bly	Eastlund	Hamilton	Johnson	Madore	Nelson
Brynaert	Eken	Hansen	Juhnke	Magnus	Nornes
Buesgens	Emmer	Haws	Kahn	Mahoney	Norton
Bunn	Erhardt	Heidgerken	Kalin	Mariani	Olin
Carlson	Erickson	Hilstrom	Knuth	Marquart	Olson
Davnie	Faust	Hilty	Koenen	Masin	Otremba

Ozment	Poppe	Sertich	Solberg	Tschumper	Welti
Paymar	Rukavina	Severson	Sviggum	Urdahl	Westrom
Pelowski	Ruth	Simon	Swails	Wagenius	Winkler
Peterson, A.	Ruud	Simpson	Thao	Walker	Wollschlager
Peterson, N.	Sailer	Slawik	Thissen	Ward	Zellers
Peterson, S.	Seifert	Slocum	Tillberry	Wardlow	Spk. Kelliher

Those who voted in the negative were:

Brown	Clark	Cornish	Liebling	Smith
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The bill was passed and its title agreed to.

Sertich moved that the remaining bill on the Consent Calendar be continued. The motion prevailed.

FISCAL CALENDAR

Pursuant to rule 1.22, Solberg requested immediate consideration of H. F. No. 274.

H. F. No. 274, A bill for an act relating to the Rural Finance Authority; providing for sale of bonds; appropriating money.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dill	Heidgerken	Lenczewski	Norton	Smith
Anderson, S.	Dittrich	Hilstrom	Liebling	Olin	Solberg
Anzelc	Dominguez	Hilty	Lieder	Olson	Sviggum
Atkins	Doty	Holberg	Lillie	Otremba	Swails
Beard	Eastlund	Hoppe	Loeffler	Ozment	Thao
Benson	Eken	Hornstein	Madore	Paymar	Thissen
Berns	Emmer	Hortman	Magnus	Pelowski	Tillberry
Bigham	Erhardt	Hosch	Mahoney	Peterson, A.	Tingelstad
Bly	Erickson	Howes	Mariani	Peterson, N.	Tschumper
Brown	Faust	Huntley	Marquart	Peterson, S.	Urdahl
Brynaert	Finstad	Jaros	Masin	Poppe	Wagenius
Buesgens	Fritz	Johnson	McFarlane	Rukavina	Walker
Bunn	Gardner	Juhnke	McNamara	Ruth	Ward
Carlson	Garofalo	Kahn	Moe	Ruud	Wardlow
Clark	Gottwalt	Kalin	Morgan	Sailer	Welti
Cornish	Greiling	Knuth	Morrow	Seifert	Westrom
Davnie	Gunther	Koenen	Mullery	Sertich	Winkler
Dean	Hackbarth	Kohls	Murphy, E.	Severson	Wollschlager
DeLaForest	Hamilton	Kranz	Murphy, M.	Simon	Zellers
Demmer	Hansen	Laine	Nelson	Slawik	Spk. Kelliher
Dettmer	Haws	Lanning	Nornes	Slocum	

The bill was passed and its title agreed to.

FISCAL CALENDAR

Pursuant to rule 1.22, Solberg requested immediate consideration of H. F. No. 946.

H. F. No. 946 was reported to the House.

Holberg moved to amend H. F. No. 946, the third engrossment, as follows:

Page 17, after line 19, insert:

"Sec. 10. **APPROPRIATIONS ADJUSTMENTS.**

(a) The commissioner of finance, in consultation with the commissioners of revenue, transportation, and public safety, shall calculate an adjustment value that is equal to:

(1) an increase in the tax on motor fuels under Minnesota Statutes, section 296A.07, subdivision 3, clause (3), of five cents per gallon effective June 1, 2007, and an additional five cents per gallon effective June 1, 2008; plus

(2) an increase in the tax on E85 and M85 under Minnesota Statutes, section 296A.07, subdivision 3, at the times and in the same proportions as the increase in clause (1); plus

(3) an increase in the tax on special fuels under Minnesota Statutes, section 296A.08, subdivision 2, at the times and in the same proportions as the increase in clause (1).

(b) The commissioner of finance shall reduce the appropriations made to the commissioner of transportation for fiscal year 2008 and fiscal year 2009 in this article, as follows:

(1) from infrastructure operations and maintenance, 14.4305 percent of the adjustment value;

(2) from infrastructure investment support, 11.5444 percent of the adjustment value;

(3) from state road construction, 31.7471 percent of the adjustment value;

(4) from county state-aids, 31.899 percent of the adjustment value; and

(5) from municipal state-aids, 8.379 percent of the adjustment value."

Page 17, line 30, delete "1,000,000,000" and insert "1,900,000,000"

Page 17, line 31, delete "1,000,000" and insert "1,900,000"

Page 17, line 32, delete "1,001,000,000" and insert "1,901,900,000"

Page 18, line 3, after "2008" insert "to 2009, and \$212,500,000 is appropriated on the first day of fiscal years 2010"

Page 18, line 12, delete "170,000,000" and insert "323,000,000"

Page 18, line 18, delete "1,000,000" and insert "1,900,000"

Page 18, line 26, delete "1,001,000,000" and insert "1,901,900,000"

Page 10, line 14, delete "94,363,000" and insert "78,553,000"

Page 22, delete sections 4 to 5

Page 36, after line 31, insert:

"Sec. 2. Minnesota Statutes 2006, section 297A.815, is amended by adding a subdivision to read:

Subd. 3. **Deposit of revenues.** Notwithstanding section 297A.94 or any law to the contrary, money collected and received under this section must be deposited in the trunk highway fund.

EFFECTIVE DATE. This section is effective beginning with revenues collected and remitted beginning July 1, 2009."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Holberg amendment and the roll was called. There were 42 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	DeLaForest	Garofalo	Hoppe	Nornes	Smith
Anderson, S.	Demmer	Gottwalt	Howes	Olson	Sviggum
Beard	Dettmer	Gunther	Kohls	Ozment	Tingelstad
Berns	Eastlund	Hackbarth	Lanning	Ruth	Urdahl
Buesgens	Emmer	Hamilton	Magnus	Seifert	Wardlow
Cornish	Erickson	Heidgerken	McFarlane	Severson	Westrom
Dean	Finstad	Holberg	McNamara	Simpson	Zellers

Those who voted in the negative were:

Anzelc	Doty	Huntley	Loeffler	Olin	Slocum
Atkins	Eken	Jaros	Madore	Otremba	Solberg
Benson	Erhardt	Johnson	Mahoney	Paymar	Swails
Bigham	Faust	Juhnke	Mariani	Pelowski	Thao
Bly	Fritz	Kahn	Marquart	Peterson, A.	Thissen
Brown	Gardner	Kalin	Masin	Peterson, N.	Tillberry
Brynaert	Greiling	Knuth	Moe	Peterson, S.	Tschumper
Bunn	Hansen	Koenen	Morgan	Poppe	Wagenius
Carlson	Haws	Kranz	Morrow	Rukavina	Walker
Clark	Hilstrom	Laine	Mullery	Ruud	Ward
Davnie	Hilty	Lenczewski	Murphy, E.	Sailer	Welti
Dill	Hornstein	Liebling	Murphy, M.	Sertich	Winkler
Dittrich	Hortman	Lieder	Nelson	Simon	Wollschlager
Dominguez	Hosch	Lillie	Norton	Slawik	Spk. Kelliher

The motion did not prevail and the amendment was not adopted.

Hackbarth moved to amend H. F. No. 946, the third engrossment, as follows:

Page 24, delete article 4 and insert:

"ARTICLE 4

COUNTY STATE-AID HIGHWAY FUND DISTRIBUTION

Section 1. Minnesota Statutes 2006, section 162.07, subdivision 1, is amended to read:

Subdivision 1. **Formula.** After deducting for administrative costs and for the disaster account and research account and state park roads as heretofore provided, the remainder of the total sum provided for in section 162.06, subdivision 1, shall be identified as the apportionment sum and shall be apportioned by the commissioner to the several counties on the basis of the needs of the counties as determined in accordance with the following formula:

(a) ~~An amount equal to ten percent of the apportionment sum shall be apportioned equally among the 87 counties.~~

(b) An amount equal to ~~ten~~ 40 percent of the apportionment sum shall be apportioned among the several counties so that each county shall receive of such amount the percentage that its motor vehicle registration for the calendar year preceding the one last past, determined by residence of registrants, bears to the total statewide motor vehicle registration.

(c) ~~An amount equal to 30 percent of the apportionment sum shall be apportioned among the several counties so that each county shall receive of such amount the percentage that its total lane miles of approved county state aid highways bears to the total lane miles of approved statewide county state aid highways. In 1997 and subsequent years no county may receive, as a result of an apportionment under this clause based on lane miles rather than miles of approved county state aid highways, an apportionment that is less than its apportionment in 1996.~~

(d) ~~(b)~~ An amount equal to ~~50~~ 60 percent of the apportionment sum shall be apportioned among the several counties so that each county shall receive of such amount the percentage that its money needs bears to the sum of the money needs of all of the individual counties; ~~provided, that the percentage of such amount that each county is to receive shall be adjusted so that each county shall receive in 1958 a total apportionment at least ten percent greater than its total 1956 apportionments from the state road and bridge fund; and provided further that those counties whose money needs are thus adjusted shall never receive a percentage of the apportionment sum less than the percentage that such county received in 1958.~~

A roll call was requested and properly seconded.

The question was taken on the Hackbarth amendment and the roll was called. There were 24 yeas and 103 nays as follows:

Those who voted in the affirmative were:

Anderson, S.	Bunn	Emmer	Hoppe	McNamara	Swails
Beard	Dean	Garofalo	Howes	Ozment	Tingelstad
Berns	DeLaForest	Hackbarth	Kohls	Peppin	Wardlow
Buesgens	Dettmer	Holberg	McFarlane	Smith	Zellers

Those who voted in the negative were:

Anderson, B.	Eken	Hosch	Magnus	Pelowski	Thao
Anzelc	Erhardt	Huntley	Mahoney	Peterson, A.	Thissen
Atkins	Erickson	Jaros	Mariani	Peterson, N.	Tillberry
Benson	Faust	Johnson	Marquart	Peterson, S.	Tschumper
Bigham	Finstad	Juhnke	Masin	Poppe	Urdahl
Bly	Fritz	Kahn	Moe	Rukavina	Wagenius
Brown	Gardner	Kalin	Morgan	Ruth	Walker
Brynaert	Gottwalt	Knuth	Morrow	Ruud	Ward
Carlson	Greiling	Koenen	Mullery	Sailer	Welti
Clark	Gunther	Kranz	Murphy, E.	Seifert	Westrom
Cornish	Hamilton	Laine	Murphy, M.	Sertich	Winkler
Davnie	Hansen	Lanning	Nelson	Severson	Wollschlager
Demmer	Haws	Lenczewski	Nornes	Simon	Spk. Kelliher
Dill	Heidgerken	Liebling	Norton	Simpson	
Dittrich	Hilstrom	Lieder	Olin	Slawik	
Dominguez	Hilty	Lillie	Olson	Slocum	
Doty	Hornstein	Loeffler	Otremba	Solberg	
Eastlund	Hortman	Madore	Paymar	Sviggum	

The motion did not prevail and the amendment was not adopted.

Kohls moved to amend H. F. No. 946, the third engrossment, as follows:

Page 17, after line 19, insert:

"Sec. 10. **APPROPRIATIONS ADJUSTMENTS.**

(a) The commissioner of finance, in consultation with the commissioners of revenue, transportation, and public safety, shall calculate an adjustment value that is equal to:

(1) an increase in the tax on motor fuels under Minnesota Statutes, section 296A.07, subdivision 3, clause (3), of five cents per gallon effective June 1, 2007, and an additional five cents per gallon effective June 1, 2008; plus

(2) an increase in the tax on E85 and M85 under Minnesota Statutes, section 296A.07, subdivision 3, at the times and in the same proportions as the increase in clause (1); plus

(3) an increase in the tax on special fuels under Minnesota Statutes, section 296A.08, subdivision 2, at the times and in the same proportions as the increase in clause (1).

(b) The commissioner of finance shall reduce the appropriations made to the commissioner of transportation for fiscal year 2008 and fiscal year 2009 in this article, as follows:

(1) from infrastructure operations and maintenance, 14.4305 percent of the adjustment value;

(2) from infrastructure investment support, 11.5444 percent of the adjustment value;

(3) from state road construction, 31.7471 percent of the adjustment value;

(4) from county state-aids, 31.899 percent of the adjustment value; and

(5) from municipal state-aids, 8.379 percent of the adjustment value."

Page 22, delete sections 4 to 5

Renumber the sections in sequence and correct the internal references

Adjust amounts accordingly

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Kohls amendment and the roll was called. There were 43 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dettmer	Gunther	Lanning	Ruth	Wardlow
Anderson, S.	Eastlund	Hackbarth	Magnus	Seifert	Westrom
Berns	Emmer	Hamilton	McFarlane	Severson	Zellers
Buesgens	Erickson	Heidgerken	McNamara	Shimanski	
Cornish	Faust	Holberg	Nornes	Simpson	
Dean	Finstad	Hoppe	Olson	Smith	
DeLaForest	Garofalo	Howes	Otremba	Sviggum	
Demmer	Gottwalt	Kohls	Peppin	Urdahl	

Those who voted in the negative were:

Anzelc	Doty	Jaros	Mahoney	Pelowski	Thao
Atkins	Eken	Johnson	Mariani	Peterson, A.	Thissen
Benson	Erhardt	Juhnke	Marquart	Peterson, N.	Tillberry
Bigham	Fritz	Kalin	Masin	Peterson, S.	Tingelstad
Bly	Gardner	Knuth	Moe	Poppe	Tschumper
Brown	Greiling	Koenen	Morgan	Rukavina	Wagenius
Brynaert	Hansen	Kranz	Morrow	Ruud	Walker
Bunn	Haws	Laine	Mullery	Sailer	Ward
Carlson	Hilstrom	Lenczewski	Murphy, E.	Sertich	Welti
Clark	Hilty	Liebling	Murphy, M.	Simon	Winkler
Davnie	Hornstein	Lieder	Nelson	Slawik	Wollschlager
Dill	Hortman	Lillie	Norton	Slocum	Spk. Kelliher
Dittrich	Hosch	Loeffler	Olin	Solberg	
Dominguez	Huntley	Madore	Paymar	Swails	

The motion did not prevail and the amendment was not adopted.

DeLaForest moved to amend H. F. No. 946, the third engrossment, as follows:

Page 33, delete section 6

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the DeLaForest amendment and the roll was called. There were 51 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	DeLaForest	Gottwalt	Kalin	Peppin	Sviggum
Anderson, S.	Demmer	Gunther	Kohls	Rukavina	Swails
Atkins	Dettmer	Hackbarth	Kranz	Ruth	Urdahl
Beard	Dittrich	Hamilton	Lillie	Ruud	Wardlow
Berns	Eastlund	Hansen	Magnus	Seifert	Westrom
Buesgens	Emmer	Heidgerken	McFarlane	Severson	Zellers
Bunn	Erickson	Holberg	McNamara	Shimanski	
Cornish	Finstad	Hoppe	Nornes	Simpson	
Dean	Garofalo	Howes	Olson	Smith	

Those who voted in the negative were:

Anzelc	Erhardt	Johnson	Mariani	Paymar	Thissen
Benson	Faust	Juhnke	Marquart	Pelowski	Tillberry
Bigham	Fritz	Kahn	Masin	Peterson, A.	Tingelstad
Bly	Gardner	Knuth	Moe	Peterson, N.	Tschumper
Brown	Greiling	Koenen	Morgan	Peterson, S.	Wagenius
Brynaert	Haws	Laine	Morrow	Poppe	Walker
Carlson	Hilstrom	Lanning	Mullery	Sailer	Ward
Clark	Hilty	Lenczewski	Murphy, E.	Sertich	Welti
Davnie	Hornstein	Liebling	Murphy, M.	Simon	Winkler
Dill	Hortman	Lieder	Nelson	Slawik	Wollschlager
Dominguez	Hosch	Loeffler	Norton	Slocum	Spk. Kelliher
Doty	Huntley	Madore	Olin	Solberg	
Eken	Jaros	Mahoney	Otremba	Thao	

The motion did not prevail and the amendment was not adopted.

Kohls moved to amend H. F. No. 946, the third engrossment, as follows:

Page 36, after line 16, insert:

"Sec. 9. **SUNSET.**

Any additional sales and excise taxes imposed in the metropolitan area under section 6 for transportation improvement purposes sunset if the average commute time, as determined by the Commissioner of Transportation, has not been reduced by at least three minutes within five years of imposition of the taxes."

A roll call was requested and properly seconded.

The question was taken on the Kohls amendment and the roll was called. There were 42 yeas and 85 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Buesgens	DeLaForest	Eastlund	Finstad	Gunther
Anderson, S.	Cornish	Demmer	Emmer	Garofalo	Hackbarth
Berns	Dean	Dettmer	Erickson	Gottwalt	Hamilton

Heidgerken	Kohls	Nornes	Ruth	Simpson	Urdahl
Holberg	Magnus	Olson	Seifert	Smith	Wardlow
Hoppe	McFarlane	Peppin	Severson	Sviggum	Westrom
Howes	McNamara	Rukavina	Shimanski	Tingelstad	Zellers

Those who voted in the negative were:

Anzelc	Doty	Jaros	Madore	Ozment	Thissen
Atkins	Eken	Johnson	Mahoney	Paymar	Tillberry
Beard	Erhardt	Juhnke	Mariani	Pelowski	Tschumper
Benson	Faust	Kahn	Marquart	Peterson, A.	Wagenius
Bigham	Fritz	Kalin	Masin	Peterson, N.	Walker
Bly	Gardner	Knuth	Moe	Poppe	Ward
Brown	Greiling	Koenen	Morgan	Ruud	Welti
Brynaert	Hansen	Kranz	Morrow	Sailer	Winkler
Bunn	Haws	Laine	Mullery	Sertich	Wollschlager
Carlson	Hilstrom	Lanning	Murphy, E.	Simon	Spk. Kelliher
Clark	Hilty	Lenczewski	Murphy, M.	Slawik	
Davnie	Hornstein	Liebling	Nelson	Slocum	
Dill	Hortman	Lieder	Norton	Solberg	
Dittrich	Hosch	Lillie	Olin	Swails	
Dominguez	Huntley	Loeffler	Otremba	Thao	

The motion did not prevail and the amendment was not adopted.

Sviggum moved to amend H. F. No. 946, the third engrossment, as follows:

Page 10, after line 22, insert:

"In either year of the biennium, the Metropolitan Council may not operate any regular route if the farebox recovery for that route during the previous fiscal year was less than 20 percent of the total operating cost for that route for that fiscal year."

A roll call was requested and properly seconded.

The question was taken on the Sviggum amendment and the roll was called. There were 48 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	DeLaForest	Garofalo	Hosch	Nornes	Simpson
Anderson, S.	Demmer	Gottwalt	Howes	Olson	Smith
Beard	Dettmer	Gunther	Kohls	Peppin	Sviggum
Berns	Dittrich	Hackbarth	Kranz	Rukavina	Tingelstad
Buesgens	Eastlund	Hamilton	Lanning	Ruth	Urdahl
Bunn	Emmer	Heidgerken	Magnus	Seifert	Wardlow
Cornish	Erickson	Holberg	McFarlane	Severson	Westrom
Dean	Finstad	Hoppe	McNamara	Shimanski	Zellers

Those who voted in the negative were:

Abeler	Eken	Johnson	Mariani	Paymar	Thao
Anzelc	Erhardt	Juhnke	Marquart	Pelowski	Thissen
Atkins	Faust	Kahn	Masin	Peterson, A.	Tillberry
Benson	Fritz	Kalin	Moe	Peterson, N.	Tschumper
Bigham	Gardner	Knuth	Morgan	Peterson, S.	Wagenius
Bly	Greiling	Koenen	Morrow	Poppe	Walker
Brown	Hansen	Laine	Mullery	Ruud	Ward
Brynaert	Haws	Lenczewski	Murphy, E.	Sailer	Welti
Carlson	Hilstrom	Liebling	Murphy, M.	Sertich	Winkler
Clark	Hilty	Lieder	Nelson	Simon	Wollschlager
Davnie	Hornstein	Lillie	Norton	Slawik	Spk. Kelliher
Dill	Hortman	Loeffler	Olin	Slocum	
Dominguez	Huntley	Madore	Otremba	Solberg	
Doty	Jaros	Mahoney	Ozment	Swails	

The motion did not prevail and the amendment was not adopted.

Berns moved to amend H. F. No. 946, the third engrossment, as follows:

Page 34, line 7, after "authority" insert ", if approved by the majority of voters at a special election in the metropolitan transportation area. The counties in the metropolitan transportation area shall hold the election on the same day and no county may impose the tax unless approved by the majority of voters in the entire metropolitan transportation area. If the county boards of Carver and Scott counties declare their intention to join the metropolitan transportation area after the other counties hold the election, they may hold a separate election and a majority of the voters in that county must approve the tax in order for the county board to impose the tax authorized under this subdivision."

A roll call was requested and properly seconded.

The question was taken on the Berns amendment and the roll was called. There were 63 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Gottwalt	Lenczewski	Ozment	Sviggum
Anderson, B.	DeLaForest	Gunther	Lillie	Peppin	Swails
Anderson, S.	Demmer	Hackbarth	Loeffler	Peterson, S.	Tingelstad
Atkins	Dettmer	Hamilton	Magnus	Ruth	Urdahl
Beard	Dittrich	Hansen	Masin	Ruud	Wardlow
Benson	Eastlund	Heidgerken	McFarlane	Seifert	Westrom
Berns	Emmer	Holberg	McNamara	Severson	Winkler
Buesgens	Erickson	Hoppe	Morgan	Shimanski	Zellers
Bunn	Finstad	Howes	Nornes	Simon	
Carlson	Gardner	Kohls	Norton	Simpson	
Cornish	Garofalo	Kranz	Olson	Smith	

Those who voted in the negative were:

Anzelc	Brown	Davnie	Doty	Faust	Haws
Bigham	Brynaert	Dill	Eken	Fritz	Hilstrom
Bly	Clark	Dominguez	Erhardt	Greiling	Hilty

Hornstein	Kalin	Mahoney	Nelson	Rukavina	Tillberry
Hortman	Knuth	Mariani	Olin	Sailer	Tschumper
Hosch	Koenen	Marquart	Otremba	Sertich	Wagenius
Huntley	Laine	Moe	Paymar	Slawik	Walker
Jaros	Lanning	Morrow	Pelowski	Slocum	Ward
Johnson	Liebling	Mullery	Peterson, A.	Solberg	Walti
Juhnke	Lieder	Murphy, E.	Peterson, N.	Thao	Wollschlager
Kahn	Madore	Murphy, M.	Poppe	Thissen	Spk. Kelliher

The motion did not prevail and the amendment was not adopted.

Holberg moved to amend H. F. No. 946, the third engrossment, as follows:

Page 34, line 22, after "may" insert "not" and after the period, insert "Each county representative selected under paragraph (b) must have an equal vote in all matters before the board."

A roll call was requested and properly seconded.

The question was taken on the Holberg amendment and the roll was called. There were 51 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Garofalo	Howes	Ozment	Swails
Anderson, B.	DeLaForest	Gottwalt	Kohls	Peppin	Tillberry
Anderson, S.	Demmer	Gunther	Kranz	Ruth	Tingelstad
Beard	Dettmer	Hackbarth	Lanning	Seifert	Urdahl
Berns	Dittrich	Hamilton	Magnus	Severson	Wardlow
Bigham	Eastlund	Heidgerken	McFarlane	Shimanski	Westrom
Buesgens	Emmer	Holberg	McNamara	Simpson	
Bunn	Erickson	Hoppe	Nornes	Smith	
Cornish	Finstad	Hosch	Olson	Sviggum	

Those who voted in the negative were:

Anzelc	Erhardt	Johnson	Mahoney	Otremba	Slocum
Atkins	Faust	Juhnke	Mariani	Paymar	Solberg
Benson	Fritz	Kahn	Marquart	Pelowski	Thao
Bly	Gardner	Kalin	Masin	Peterson, A.	Thissen
Brown	Greiling	Knuth	Moe	Peterson, N.	Tschumper
Brynaert	Hansen	Koenen	Morgan	Peterson, S.	Wagenius
Carlson	Haws	Laine	Morrow	Poppe	Walker
Clark	Hilstrom	Lenczewski	Mullery	Rukavina	Ward
Davnie	Hilty	Liebling	Murphy, E.	Ruud	Walti
Dill	Hornstein	Lieder	Murphy, M.	Sailer	Winkler
Dominguez	Hortman	Lillie	Nelson	Sertich	Wollschlager
Doty	Huntley	Loeffler	Norton	Simon	Zellers
Eken	Jaros	Madore	Olin	Slawik	Spk. Kelliher

The motion did not prevail and the amendment was not adopted.

Demmer, Hamilton and Finstad moved to amend H. F. No. 946, the third engrossment, as follows:

Page 17, after line 19, insert:

"Sec. 10. **APPROPRIATIONS ADJUSTMENTS.**

(a) The commissioner of finance, in consultation with the commissioners of revenue, transportation, and public safety, shall calculate an adjustment value that is equal to:

(1) an increase in the tax on motor fuels under Minnesota Statutes, section 296A.07, subdivision 3, clause (3), of five cents per gallon effective June 1, 2007, and an additional five cents per gallon effective June 1, 2008; plus

(2) an increase in the tax on M85 under Minnesota Statutes, section 296A.07, subdivision 3, clause (2) at the times and in the same proportions as the increase in clause (1); plus

(3) an increase in the tax on special fuels under Minnesota Statutes, section 296A.08, subdivision 2, at the times and in the same proportions as the increase in clause (1).

(b) The commissioner of finance shall reduce the appropriations made to the commissioner of transportation for fiscal year 2008 and fiscal year 2009 in this article, as follows:

(1) from infrastructure operations and maintenance, 14.4305 percent of the adjustment value;

(2) from infrastructure investment support, 11.5444 percent of the adjustment value;

(3) from state road construction, 31.7471 percent of the adjustment value;

(4) from county state-aids, 31.899 percent of the adjustment value; and

(5) from municipal state-aids, 8.379 percent of the adjustment value."

Page 22, lines 7 to 8, delete the new language and reinstate the stricken language

Renumber the sections in sequence and correct the internal references

Adjust amounts accordingly

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Demmer et al amendment and the roll was called. There were 41 yeas and 85 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hackbarth	Lanning	Ruth	Tingelstad
Anderson, S.	Dettmer	Hamilton	Magnus	Seifert	Urdahl
Brown	Emmer	Heidgerken	McFarlane	Severson	Wardlow
Buesgens	Erickson	Hoppe	Nornes	Simpson	Welti
Cornish	Finstad	Hosch	Norton	Smith	Westrom
Dean	Garofalo	Howes	Ozment	Sviggum	Zellers
DeLaForest	Gunther	Kalin	Peppin	Swails	

Those who voted in the negative were:

Anderson, B.	Dominguez	Hornstein	Loeffler	Olson	Thao
Anzelc	Doty	Hortman	Madore	Otremba	Thissen
Atkins	Eastlund	Huntley	Mahoney	Paymar	Tillberry
Beard	Eken	Jaros	Mariani	Pelowski	Tschumper
Benson	Erhardt	Johnson	Marquart	Peterson, A.	Wagenius
Berns	Faust	Juhnke	Masin	Peterson, N.	Walker
Bigham	Fritz	Kahn	McNamara	Peterson, S.	Ward
Bly	Gardner	Knuth	Moe	Poppe	Winkler
Brynaert	Gottwalt	Koenen	Morgan	Ruud	Wollschlager
Bunn	Greiling	Kohls	Morrow	Sailer	Spk. Kelliher
Carlson	Hansen	Kranz	Mullery	Sertich	
Clark	Haws	Laine	Murphy, E.	Simon	
Davnie	Hilstrom	Liebling	Murphy, M.	Slawik	
Dill	Hilty	Lieder	Nelson	Slocum	
Dittrich	Holberg	Lillie	Olin	Solberg	

The motion did not prevail and the amendment was not adopted.

The Speaker called Thissen to the Chair.

Heidgerken moved to amend H. F. No. 946, the third engrossment, as follows:

Page 17, after line 19, insert:

"Sec. 10. **SALE OF LAND.**

Subdivision 1. **State land sales.** The commissioner of transportation, in coordination with the commissioner of administration, must identify and sell at least \$500,000,000 of state-owned land under custodial control of the commissioner of transportation. Sales must be completed as soon as practicable but no later than June 30, 2015.

Subd. 2. **Deposit of proceeds.** Notwithstanding any law to the contrary, the amount of the proceeds from the sale of land under this section that exceeds the actual expenses of selling the land must be deposited in the trunk highway fund."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Heidgerken amendment and the roll was called. There were 37 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Emmer	Garofalo	Hamilton	Kohls
Anderson, B.	Dettmer	Erickson	Gottwalt	Heidgerken	Lanning
Buesgens	Dill	Faust	Gunther	Holberg	Magnus
Dean	Eastlund	Finstad	Hackbarth	Hosch	McFarlane

Nornes	Rukavina	Shimanski	Urdahl	Zellers
Olson	Ruth	Sviggum	Wardlow	
Peppin	Seifert	Tingelstad	Westrom	

Those who voted in the negative were:

Anderson, S.	Dittrich	Huntley	Mahoney	Paymar	Swails
Anzelc	Dominguez	Jaros	Mariani	Pelowski	Thao
Atkins	Doty	Johnson	Marquart	Peterson, A.	Thissen
Beard	Eken	Juhnke	Masin	Peterson, N.	Tillberry
Benson	Erhardt	Kahn	McNamara	Peterson, S.	Wagenius
Berns	Fritz	Kalin	Moe	Poppe	Walker
Bigham	Gardner	Knuth	Morgan	Ruud	Ward
Bly	Greiling	Koenen	Morrow	Sailer	Welti
Brown	Hansen	Kranz	Mullery	Sertich	Winkler
Brynaert	Haws	Laine	Murphy, E.	Severson	Wollschlager
Bunn	Hilstrom	Lenczewski	Murphy, M.	Simon	Spk. Kelliher
Carlson	Hilty	Liebling	Nelson	Simpson	
Clark	Hoppe	Lieder	Norton	Slawik	
Cornish	Hornstein	Lillie	Olin	Slocum	
Davnie	Hortman	Loeffler	Otremba	Smith	
DeLaForest	Howes	Madore	Ozment	Solberg	

The motion did not prevail and the amendment was not adopted.

The Speaker resumed the Chair.

Olson moved to amend H. F. No. 946, the third engrossment, as follows:

Page 36, after line 31, insert:

"Sec. 2. Minnesota Statutes 2006, section 168.012, subdivision 1, is amended to read:

Subdivision 1. **Vehicles exempt from tax, fees, or plate display.** (a) The following vehicles are exempt from the provisions of this chapter requiring payment of tax and registration fees, except as provided in subdivision 1c:

(1) vehicles owned and used solely in the transaction of official business by the federal government, the state, or any political subdivision;

(2) vehicles owned and used exclusively by educational institutions and used solely in the transportation of pupils to and from those institutions;

(3) vehicles used solely in driver education programs at nonpublic high schools;

(4) vehicles owned by nonprofit charities and used exclusively to transport disabled persons for charitable, religious, or educational purposes;

(5) ambulances owned by ambulance services licensed under section 144E.10, the general appearance of which is unmistakable; ~~and~~

(6) vehicles owned by a commercial driving school licensed under section 171.34, or an employee of a commercial driving school licensed under section 171.34, and the vehicle is used exclusively for driver education and training; and

(7) until July 1, 2025, vehicles owned by a motor carrier of passengers registered under section 221.0252 and operated:

(i) primarily to provide regular route public transit, as defined in section 174.22, subdivision 8;

(ii) to provide service to an urban area having a population of at least 50,000; and

(iii) without financial operating assistance from the state or any political subdivision of the state.

(b) Vehicles owned by the federal government, municipal fire apparatuses including fire-suppression support vehicles, police patrols, and ambulances, the general appearance of which is unmistakable, are not required to register or display number plates.

(c) Unmarked vehicles used in general police work, liquor investigations, or arson investigations, and passenger automobiles, pickup trucks, and buses owned or operated by the Department of Corrections, must be registered and must display appropriate license number plates, furnished by the registrar at cost. Original and renewal applications for these license plates authorized for use in general police work and for use by the Department of Corrections must be accompanied by a certification signed by the appropriate chief of police if issued to a police vehicle, the appropriate sheriff if issued to a sheriff's vehicle, the commissioner of corrections if issued to a Department of Corrections vehicle, or the appropriate officer in charge if issued to a vehicle of any other law enforcement agency. The certification must be on a form prescribed by the commissioner and state that the vehicle will be used exclusively for a purpose authorized by this section.

(d) Unmarked vehicles used by the Departments of Revenue and Labor and Industry, fraud unit, in conducting seizures or criminal investigations must be registered and must display passenger vehicle classification license number plates, furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the commissioner of revenue or the commissioner of labor and industry. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the purposes authorized by this section.

(e) Unmarked vehicles used by the Division of Disease Prevention and Control of the Department of Health must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the commissioner of health. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the Division of Disease Prevention and Control.

(f) Unmarked vehicles used by staff of the Gambling Control Board in gambling investigations and reviews must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the board chair. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the Gambling Control Board.

(g) All other motor vehicles must be registered and display tax-exempt number plates, furnished by the registrar at cost, except as provided in subdivision 1c. All vehicles required to display tax-exempt number plates must have the name of the state department or political subdivision, nonpublic high school operating a driver education

program, or licensed commercial driving school, plainly displayed on both sides of the vehicle; except that each state hospital and institution for persons who are mentally ill and developmentally disabled may have one vehicle without the required identification on the sides of the vehicle, and county social service agencies may have vehicles used for child and vulnerable adult protective services without the required identification on the sides of the vehicle. This identification must be in a color giving contrast with that of the part of the vehicle on which it is placed and must endure throughout the term of the registration. The identification must not be on a removable plate or placard and must be kept clean and visible at all times; except that a removable plate or placard may be utilized on vehicles leased or loaned to a political subdivision or to a nonpublic high school driver education program.

Sec. 3. Minnesota Statutes 2006, section 169.306, is amended to read:

169.306 USE OF FREEWAY SHOULDERS BY BUSES.

(a) The commissioner of transportation may permit the use by transit buses and metro mobility buses of a shoulder of a freeway or expressway, as defined in section 160.02, ~~in the seven county metropolitan area.~~

(b) If the commissioner permits the use of a freeway or expressway shoulder by transit buses, the commissioner shall also permit the use on that shoulder of a bus with a seating capacity of 40 passengers or more operated by a motor carrier of passengers, as defined in section 221.011, subdivision 48, while operating in intrastate commerce.

(c) Buses authorized to use the shoulder under this section may be operated on the shoulder only when main line traffic speeds are less than 35 miles per hour. Drivers of buses being operated on the shoulder may not exceed the speed of main line traffic by more than 15 miles per hour and may never exceed 35 miles per hour. Drivers of buses being operated on the shoulder must yield to merging, entering, and exiting traffic and must yield to other vehicles on the shoulder. Buses operated on the shoulder must be registered with the Department of Transportation.

(d) For the purposes of this section, the term "metro mobility bus" means a motor vehicle of not less than 20 feet in length engaged in providing special transportation services under section 473.386 that is:

(1) operated by the Metropolitan Council, or operated by a public or private entity receiving financial assistance from the Metropolitan Council; and

(2) authorized by the council to use freeway or expressway shoulders.

Sec. 4. Minnesota Statutes 2006, section 272.02, is amended by adding a subdivision to read:

Subd. 84. **Passenger motor carrier maintenance facility.** If approved by the governing body of the municipality in which the property is located, a passenger motor carrier maintenance facility constructed on or after January 1, 2007, is exempt from property tax. The property must be owned and operated by a registered motor carrier of passengers under section 221.0252, and vehicles serviced in the facility must be operated:

(1) primarily to provide regular route public transit, as defined in section 174.22, subdivision 8;

(2) to provide service to an urban area having a population of at least 50,000; and

(3) without financial operating assistance from the state or any political subdivision of the state.

Sec. 5. Minnesota Statutes 2006, section 290.01, subdivision 19d, is amended to read:

Subd. 19d. **Corporations; modifications decreasing federal taxable income.** For corporations, there shall be subtracted from federal taxable income after the increases provided in subdivision 19c:

(1) the amount of foreign dividend gross-up added to gross income for federal income tax purposes under section 78 of the Internal Revenue Code;

(2) the amount of salary expense not allowed for federal income tax purposes due to claiming the federal jobs credit under section 51 of the Internal Revenue Code;

(3) any dividend (not including any distribution in liquidation) paid within the taxable year by a national or state bank to the United States, or to any instrumentality of the United States exempt from federal income taxes, on the preferred stock of the bank owned by the United States or the instrumentality;

(4) amounts disallowed for intangible drilling costs due to differences between this chapter and the Internal Revenue Code in taxable years beginning before January 1, 1987, as follows:

(i) to the extent the disallowed costs are represented by physical property, an amount equal to the allowance for depreciation under Minnesota Statutes 1986, section 290.09, subdivision 7, subject to the modifications contained in subdivision 19e; and

(ii) to the extent the disallowed costs are not represented by physical property, an amount equal to the allowance for cost depletion under Minnesota Statutes 1986, section 290.09, subdivision 8;

(5) the deduction for capital losses pursuant to sections 1211 and 1212 of the Internal Revenue Code, except that:

(i) for capital losses incurred in taxable years beginning after December 31, 1986, capital loss carrybacks shall not be allowed;

(ii) for capital losses incurred in taxable years beginning after December 31, 1986, a capital loss carryover to each of the 15 taxable years succeeding the loss year shall be allowed;

(iii) for capital losses incurred in taxable years beginning before January 1, 1987, a capital loss carryback to each of the three taxable years preceding the loss year, subject to the provisions of Minnesota Statutes 1986, section 290.16, shall be allowed; and

(iv) for capital losses incurred in taxable years beginning before January 1, 1987, a capital loss carryover to each of the five taxable years succeeding the loss year to the extent such loss was not used in a prior taxable year and subject to the provisions of Minnesota Statutes 1986, section 290.16, shall be allowed;

(6) an amount for interest and expenses relating to income not taxable for federal income tax purposes, if (i) the income is taxable under this chapter and (ii) the interest and expenses were disallowed as deductions under the provisions of section 171(a)(2), 265 or 291 of the Internal Revenue Code in computing federal taxable income;

(7) in the case of mines, oil and gas wells, other natural deposits, and timber for which percentage depletion was disallowed pursuant to subdivision 19c, clause (11), a reasonable allowance for depletion based on actual cost. In the case of leases the deduction must be apportioned between the lessor and lessee in accordance with rules prescribed by the commissioner. In the case of property held in trust, the allowable deduction must be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the trust, or if there is no provision in the instrument, on the basis of the trust's income allocable to each;

(8) for certified pollution control facilities placed in service in a taxable year beginning before December 31, 1986, and for which amortization deductions were elected under section 169 of the Internal Revenue Code of 1954, as amended through December 31, 1985, an amount equal to the allowance for depreciation under Minnesota Statutes 1986, section 290.09, subdivision 7;

(9) amounts included in federal taxable income that are due to refunds of income, excise, or franchise taxes based on net income or related minimum taxes paid by the corporation to Minnesota, another state, a political subdivision of another state, the District of Columbia, or a foreign country or possession of the United States to the extent that the taxes were added to federal taxable income under section 290.01, subdivision 19c, clause (1), in a prior taxable year;

(10) 80 percent of royalties, fees, or other like income accrued or received from a foreign operating corporation or a foreign corporation which is part of the same unitary business as the receiving corporation;

(11) income or gains from the business of mining as defined in section 290.05, subdivision 1, clause (a), that are not subject to Minnesota franchise tax;

(12) the amount of disability access expenditures in the taxable year which are not allowed to be deducted or capitalized under section 44(d)(7) of the Internal Revenue Code;

(13) the amount of qualified research expenses not allowed for federal income tax purposes under section 280C(c) of the Internal Revenue Code, but only to the extent that the amount exceeds the amount of the credit allowed under section 290.068;

(14) the amount of salary expenses not allowed for federal income tax purposes due to claiming the Indian employment credit under section 45A(a) of the Internal Revenue Code;

(15) the amount of any refund of environmental taxes paid under section 59A of the Internal Revenue Code;

(16) for taxable years beginning before January 1, 2008, the amount of the federal small ethanol producer credit allowed under section 40(a)(3) of the Internal Revenue Code which is included in gross income under section 87 of the Internal Revenue Code;

(17) for a corporation whose foreign sales corporation, as defined in section 922 of the Internal Revenue Code, constituted a foreign operating corporation during any taxable year ending before January 1, 1995, and a return was filed by August 15, 1996, claiming the deduction under section 290.21, subdivision 4, for income received from the foreign operating corporation, an amount equal to 1.23 multiplied by the amount of income excluded under section 114 of the Internal Revenue Code, provided the income is not income of a foreign operating company;

(18) any decrease in subpart F income, as defined in section 952(a) of the Internal Revenue Code, for the taxable year when subpart F income is calculated without regard to the provisions of section 614 of Public Law 107-147;

(19) in each of the five tax years immediately following the tax year in which an addition is required under subdivision 19c, clause (15), an amount equal to one-fifth of the delayed depreciation. For purposes of this clause, "delayed depreciation" means the amount of the addition made by the taxpayer under subdivision 19c, clause (15). The resulting delayed depreciation cannot be less than zero; ~~and~~

(20) in each of the five tax years immediately following the tax year in which an addition is required under subdivision 19c, clause (16), an amount equal to one-fifth of the amount of the addition; and

(21) for taxable years ending before January 1, 2026, income earned by a registered motor carrier of passengers from providing regular route public transit, as defined in section 174.22, subdivision 8, when provided:

(i) to serve an urban area having a population of at least 50,000;

(ii) without financial operating assistance from the state or any political subdivision of the state; and

(iii) in vehicles exempt from taxation under section 168.012, subdivision 1, paragraph (a), clause (7).

Sec. 6. Minnesota Statutes 2006, section 296A.07, subdivision 4, is amended to read:

Subd. 4. **Exemptions.** The provisions of subdivision 1 do not apply to gasoline purchased by:

(1) a transit system or transit provider receiving financial assistance or reimbursement under section 174.24, 256B.0625, subdivision 17, or 473.384; ~~or~~

(2) an ambulance service licensed under chapter 144E; or

(3) until July 1, 2025, a registered motor carrier of passengers for use exclusively in vehicles that:

(i) are exempt from taxation under section 168.012, subdivision 1, paragraph (a), clause (7);

(ii) primarily provide regular route public transit, as defined in section 174.22, subdivision 8;

(iii) are operated without financial operating assistance from the state or any political subdivision of the state.

Sec. 7. Minnesota Statutes 2006, section 296A.08, subdivision 3, is amended to read:

Subd. 3. **Exemptions.** The provisions of subdivisions 1 and 2 do not apply to special fuel or alternative fuels purchased by:

(1) a transit system or transit provider receiving financial assistance or reimbursement under section 174.24, 256B.0625, subdivision 17, or 473.384; ~~or~~

(2) an ambulance service licensed under chapter 144E; or

(3) until July 1, 2025, a registered motor carrier of passengers for use exclusively in vehicles that:

(i) are exempt from taxation under section 168.012, subdivision 1, paragraph (a), clause (7);

(ii) primarily provide regular route public transit, as defined in section 174.22, subdivision 8;

(iii) are operated to serve any urban area of at least 50,000 population; and

(iv) are operated without financial operating assistance from the state or any political subdivision of the state.

Sec. 8. Minnesota Statutes 2006, section 473.411, is amended by adding a subdivision to read:

Subd. 6. **Use of bus stops.** The council shall take all necessary steps to permit providers of regular route transit in vehicles exempt from taxation under section 168.012, subdivision 1, paragraph (a), clause (7), to use bus stops and bus shelters that the council uses in providing regular route transit service, unless use by those vehicles unreasonably interferes with the safety and reliability of the council's transit operations. This subdivision applies only to vehicles that:

(1) provide transit service originating outside the metropolitan area as defined in section 473.121, subdivision 2;

(2) while inbound to the metropolitan area, do not pick up passengers within the metropolitan area; and

(3) while outbound from the metropolitan area, do not drop off passengers within the metropolitan area."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Olson amendment and the roll was called. There were 39 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hackbarth	Lanning	Peppin	Urdahl
Anderson, B.	Dettmer	Hamilton	Magnus	Ruth	Wardlow
Berns	Eastlund	Heidgerken	McFarlane	Seifert	Westrom
Buesgens	Emmer	Holberg	McNamara	Severson	Zellers
Cornish	Erickson	Hoppe	Nornes	Shimanski	
Dean	Finstad	Howes	Olson	Smith	
DeLaForest	Gunther	Kohls	Ozment	Sviggum	

Those who voted in the negative were:

Anderson, S.	Dominguez	Hortman	Lillie	Olin	Slocum
Anzenc	Doty	Hosch	Loeffler	Otremba	Solberg
Atkins	Eken	Huntley	Madore	Paymar	Swails
Beard	Erhardt	Jaros	Mahoney	Pelowski	Thao
Benson	Faust	Johnson	Mariani	Peterson, A.	Thissen
Bigham	Fritz	Juhnke	Marquart	Peterson, N.	Tillberry
Bly	Gardner	Kahn	Masin	Peterson, S.	Tingelstad
Brown	Garofalo	Kalin	Moe	Poppe	Tschumper
Brynaert	Gottwalt	Knuth	Morgan	Rukavina	Wagenius
Bunn	Greiling	Koenen	Morrow	Ruud	Walker
Carlson	Hansen	Kranz	Mullery	Sailer	Ward
Clark	Haws	Laine	Murphy, E.	Sertich	Welti
Davnie	Hilstrom	Lenczewski	Murphy, M.	Simon	Winkler
Dill	Hilty	Liebling	Nelson	Simpson	Wollschlager
Dittrich	Hornstein	Lieder	Norton	Slawik	Spk. Kelliher

The motion did not prevail and the amendment was not adopted.

Emmer moved to amend H. F. No. 946, the third engrossment, as follows:

Page 5, delete lines 24 to 27 and insert:

"(d) The commissioner is prohibited from contracting or spending trunk highway funds to research or develop pilot projects to demonstrate new methods of taxing Minnesotans for the amount of miles driven."

A roll call was requested and properly seconded.

The question was taken on the Emmer amendment and the roll was called. There were 42 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Abeler	DeLaForest	Gardner	Hortman	Olson	Smith
Anderson, B.	Demmer	Gottwalt	Howes	Peppin	Sviggum
Anderson, S.	Dettmer	Gunther	Kalin	Ruth	Tingelstad
Beard	Eastlund	Hackbarth	Kohls	Seifert	Urdahl
Berns	Emmer	Hamilton	Lanning	Severson	Wardlow
Buesgens	Erickson	Holberg	McFarlane	Shimanski	Westrom
Dean	Finstad	Hoppe	Nornes	Simpson	Zellers

Those who voted in the negative were:

Anzelc	Doty	Johnson	Mariani	Paymar	Thao
Atkins	Eken	Juhnke	Marquart	Pelowski	Thissen
Benson	Erhardt	Kahn	Masin	Peterson, A.	Tillberry
Bigham	Faust	Knuth	McNamara	Peterson, N.	Tschumper
Bly	Fritz	Koenen	Moe	Peterson, S.	Wagenius
Brown	Greiling	Kranz	Morgan	Poppe	Walker
Brynaert	Hansen	Laine	Morrow	Rukavina	Ward
Bunn	Haws	Lenczewski	Mullery	Ruud	Walti
Carlson	Heidgerken	Liebling	Murphy, E.	Sailer	Winkler
Clark	Hilstrom	Lieder	Murphy, M.	Sertich	Wollschlager
Cornish	Hilty	Lillie	Nelson	Simon	Spk. Kelliher
Davnie	Hornstein	Loeffler	Norton	Slawik	
Dill	Hosch	Madore	Olin	Slocum	
Dittrich	Huntley	Magnus	Otremba	Solberg	
Dominguez	Jaros	Mahoney	Ozment	Swails	

The motion did not prevail and the amendment was not adopted.

Buesgens moved to amend H. F. No. 946, the third engrossment, as follows:

Page 35, after line 28, insert:

"Subd. 8. **Suspension of the tax.** The tax imposed under this section is suspended beginning as soon as allowed under section 297A.99, subdivision 12, after the preliminary estimate of the gross domestic product, as prepared by the United States Department of Commerce has declined for two consecutive quarters. Any suspension of the tax is removed as soon as allowed under section 297A.99, subdivision 12 after the first estimate of the gross domestic product, as prepared by the United States Department of Commerce has increased for two consecutive quarters."

The motion did not prevail and the amendment was not adopted.

Garofalo moved to amend H. F. No. 946, the third engrossment, as follows:

Page 44, after line 8, insert:

"ARTICLE 8

MISCELLANEOUS

Section 1. **[160.94] TOLL FACILITIES PROHIBITED.**

Neither the commissioner nor a local road authority may impose or authorize the imposition of a toll for the use of a bridge or a highway or highway land. This section does not apply to any toll that was being collected on January 1, 2008."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Garofalo amendment and the roll was called. There were 107 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Abeler	Dittrich	Heidgerken	Lieder	Otremba	Smith
Anderson, B.	Dominguez	Hilstrom	Lillie	Pelowski	Solberg
Anderson, S.	Doty	Hilty	Loeffler	Peppin	Sviggum
Anzelc	Eastlund	Holberg	Madore	Peterson, A.	Swails
Atkins	Eken	Hoppe	Magnus	Peterson, S.	Thao
Benson	Emmer	Hornstein	Mahoney	Poppe	Tillberry
Berns	Erickson	Hortman	Mariani	Rukavina	Tingelstad
Bigham	Faust	Hosch	Marquart	Ruth	Tschumper
Bly	Finstad	Howes	McNamara	Ruud	Urdahl
Brown	Fritz	Huntley	Moe	Sailer	Wagenius
Bunn	Garofalo	Jaros	Morgan	Seifert	Walker
Carlson	Gottwalt	Johnson	Morrow	Sertich	Ward
Clark	Greiling	Juhnke	Mullery	Severson	Welti
Cornish	Gunther	Knuth	Murphy, E.	Shimanski	Westrom
Dean	Hackbarth	Koenen	Murphy, M.	Simon	Wollschlager
Demmer	Hamilton	Kranz	Nornes	Simpson	Zellers
Dettmer	Hansen	Laine	Olin	Slawik	Spk. Kelliher
Dill	Haws	Liebling	Olson	Slocum	

Those who voted in the negative were:

Brynaert	Gardner	Lanning	Norton	Thissen
Buesgens	Kahn	Masin	Ozment	Wardlow
DeLaForest	Kalin	McFarlane	Paymar	Winkler
Erhardt	Kohls	Nelson	Peterson, N.	

The motion prevailed and the amendment was adopted.

Heidgerken moved to amend H. F. No. 946, the third engrossment, as amended, as follows:

Page 17, after line 19, insert:

"Sec. 10. **SALE OF LAND.**

Subdivision 1. State land sales. The commissioner of transportation, in coordination with the commissioner of administration, must identify and at least consider the sale of state-owned land under custodial control of the commissioner of transportation. Sales must be completed as soon as practicable but no later than June 30, 2015.

Subd. 2. Deposit of proceeds. Notwithstanding any law to the contrary, the amount of the proceeds from the sale of land under this section that exceeds the actual expenses of selling the land must be deposited in the trunk highway fund."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Heidgerken amendment and the roll was called. There were 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Haws	Lanning	Norton	Slawik
Anderson, B.	Dill	Heidgerken	Lenczewski	Olin	Slocum
Anderson, S.	Dittrich	Hilstrom	Liebling	Olson	Smith
Anzelc	Dominguez	Hilty	Lieder	Otremba	Solberg
Atkins	Doty	Holberg	Lillie	Ozment	Sviggum
Beard	Eastlund	Hoppe	Loeffler	Pelowski	Swails
Benson	Eken	Hornstein	Madore	Peppin	Thao
Berns	Emmer	Hortman	Magnus	Peterson, A.	Tillberry
Bigham	Erhardt	Hosch	Mahoney	Peterson, N.	Tingelstad
Bly	Erickson	Howes	Mariani	Peterson, S.	Tschumper
Brown	Faust	Huntley	Marquart	Poppe	Urdahl
Brynaert	Finstad	Jaros	Masin	Rukavina	Wagenius
Buesgens	Fritz	Johnson	McFarlane	Ruth	Walker
Bunn	Gardner	Juhnke	McNamara	Ruud	Ward
Carlson	Garofalo	Kahn	Moe	Sailer	Wardlow
Clark	Gottwalt	Kalin	Morgan	Seifert	Welti
Cornish	Greiling	Knuth	Morrow	Sertich	Westrom
Davnie	Gunther	Koenen	Mullery	Severson	Winkler
Dean	Hackbarth	Kohls	Murphy, E.	Shimanski	Wollschlager
DeLaForest	Hamilton	Kranz	Nelson	Simon	Zellers
Demmer	Hansen	Laine	Nornes	Simpson	Spk. Kelliher

Those who voted in the negative were:

Thissen

The motion prevailed and the amendment was adopted.

H. F. No. 946, as amended, was read for the third time.

Emmer moved that H. F. No. 946, the third engrossment, as amended, be re-referred to the Committee on Finance.

A roll call was requested and properly seconded.

The question was taken on the Emmer motion and the roll was called. There were 44 yeas and 85 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Demmer	Gunther	Lanning	Peppin	Urdahl
Anderson, S.	Dettmer	Hackbarth	Magnus	Ruth	Wardlow
Beard	Eastlund	Hamilton	McFarlane	Seifert	Westrom
Berns	Emmer	Heidgerken	McNamara	Severson	Zellers
Buesgens	Erickson	Holberg	Nornes	Shimanski	
Cornish	Finstad	Hoppe	Norton	Simpson	
Dean	Garofalo	Howes	Olson	Smith	
DeLaForest	Gottwalt	Kohls	Ozment	Sviggum	

Those who voted in the negative were:

Abeler	Doty	Jaros	Mahoney	Peterson, A.	Tillberry
Anzelc	Eken	Johnson	Mariani	Peterson, N.	Tingelstad
Atkins	Erhardt	Juhnke	Marquart	Peterson, S.	Tschumper
Benson	Faust	Kahn	Masin	Poppe	Wagenius
Bigham	Fritz	Kalin	Moe	Rukavina	Walker
Bly	Gardner	Knuth	Morgan	Ruud	Ward
Brown	Greiling	Koenen	Morrow	Sailer	Welti
Brynaert	Hansen	Kranz	Mullery	Sertich	Winkler
Bunn	Haws	Laine	Murphy, E.	Simon	Wollschlager
Carlson	Hilstrom	Lenczewski	Murphy, M.	Slawik	Spk. Kelliher
Clark	Hilty	Liebling	Nelson	Slocum	
Davnie	Hornstein	Lieder	Olin	Solberg	
Dill	Hortman	Lillie	Otremba	Swails	
Dittrich	Hosch	Loeffler	Paymar	Thao	
Dominguez	Huntley	Madore	Pelowski	Thissen	

The motion did not prevail.

CALL OF THE HOUSE

On the motion of Kohls and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Anderson, S.	Atkins	Benson	Bigham	Brown
Anderson, B.	Anzelc	Beard	Berns	Bly	Brynaert

Buesgens	Finstad	Jaros	Marquart	Peterson, A.	Thao
Bunn	Fritz	Johnson	Masin	Peterson, N.	Thissen
Carlson	Gardner	Juhnke	McFarlane	Peterson, S.	Tillberry
Clark	Garofalo	Kahn	McNamara	Poppe	Tingelstad
Cornish	Gottwalt	Kalin	Moe	Rukavina	Tschumper
Davnie	Greiling	Knuth	Morgan	Ruth	Urdahl
Dean	Hackbarth	Koenen	Morrow	Ruud	Wagenius
DeLaForest	Hamilton	Kohls	Mullery	Sailer	Walker
Demmer	Hansen	Kranz	Murphy, E.	Seifert	Ward
Dettmer	Haws	Laine	Murphy, M.	Sertich	Wardlow
Dill	Heidgerken	Lanning	Nelson	Severson	Welti
Dittrich	Hilstrom	Lenczewski	Nornes	Shimanski	Westrom
Dominguez	Hilty	Liebling	Norton	Simon	Winkler
Doty	Holberg	Lieder	Olin	Simpson	Wollschlager
Eastlund	Hoppe	Lillie	Olson	Slawik	Zellers
Eken	Hornstein	Loeffler	Otremba	Slocum	Spk. Kelliher
Emmer	Hortman	Madore	Ozment	Smith	
Erhardt	Hosch	Magnus	Paymar	Solberg	
Erickson	Howes	Mahoney	Pelowski	Sviggum	
Faust	Huntley	Mariani	Peppin	Swails	

Sertich moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

H. F. No. 946, A bill for an act relating to transportation finance; appropriating money for transportation, Metropolitan Council, and public safety activities; providing for fund transfers, general contingent accounts, tort claims, and state land sales; authorizing sale and issuance of trunk highway bonds for highways and transit facilities; modifying motor fuels and registration taxes; allocating motor vehicle sales tax revenue; modifying county state-aid allocation formula; modifying county wheelage tax; authorizing local transportation sales and use taxes; modifying provisions relating to various transportation-related funds and accounts; modifying fees for license plates, drivers' licenses, identification cards, and state patrol escort and flight services; prohibiting future toll facilities; making technical and clarifying changes; amending Minnesota Statutes 2006, sections 16A.88; 161.04, subdivision 3, by adding a subdivision; 162.06; 162.07, subdivision 1, by adding subdivisions; 163.051; 168.011, subdivision 6; 168.013, subdivisions 1, 1a; 168.017, subdivision 3; 168.12, subdivision 5; 168A.29, subdivision 1; 171.02, subdivision 3; 171.06, subdivision 2; 171.07, subdivisions 3a, 11; 171.20, subdivision 4; 296A.07, subdivision 3; 296A.08, subdivision 2; 297A.94; 297B.09, subdivision 1; 299D.09; 473.388, subdivision 4; 473.446, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 160; 297A; repealing Minnesota Statutes 2006, section 174.32.

The bill, as amended, was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 83 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Abeler	Brynaert	Dominguez	Hansen	Huntley	Koenen
Anzelc	Bunn	Doty	Haws	Jaros	Kranz
Atkins	Carlson	Eken	Hilstrom	Johnson	Laine
Benson	Clark	Erhardt	Hilty	Juhnke	Lenczewski
Bigham	Davnie	Fritz	Hornstein	Kahn	Liebling
Bly	Dill	Gardner	Hortman	Kalin	Lieder
Brown	Dittrich	Greiling	Hosch	Knuth	Lillie

Loeffler	Morgan	Ozment	Rukavina	Solberg	Wagenius
Madore	Morrow	Paymar	Ruud	Swails	Walker
Mahoney	Mullery	Pelowski	Sailer	Thao	Ward
Mariani	Murphy, E.	Peterson, A.	Sertich	Thissen	Winkler
Marquart	Murphy, M.	Peterson, N.	Simon	Tillberry	Wollschlager
Masin	Nelson	Peterson, S.	Slawik	Tingelstad	Spk. Kelliher
Moe	Olin	Poppe	Slocum	Tschumper	

Those who voted in the negative were:

Anderson, B.	Demmer	Gottwalt	Kohls	Otremba	Sviggum
Anderson, S.	Dettmer	Gunther	Lanning	Peppin	Urdahl
Beard	Eastlund	Hackbarth	Magnus	Ruth	Wardlow
Berns	Emmer	Hamilton	McFarlane	Seifert	Welti
Buesgens	Erickson	Heidgerken	McNamara	Severson	Westrom
Cornish	Faust	Holberg	Nornes	Shimanski	Zellers
Dean	Finstad	Hoppe	Norton	Simpson	
DeLaForest	Garofalo	Howes	Olson	Smith	

The bill was passed, as amended, and its title agreed to.

CALL OF THE HOUSE LIFTED

Sertich moved that the call of the House be lifted. The motion prevailed and it was so ordered.

Peterson, A., was excused for the remainder of today's session.

CALENDAR FOR THE DAY

H. F. No. 1033, A bill for an act relating to crime victims; expanding the protection against employer retaliation; amending Minnesota Statutes 2006, section 611A.036, subdivisions 2, 7.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Bly	Dean	Emmer	Greiling	Holberg
Anderson, B.	Brown	DeLaForest	Erhardt	Gunther	Hoppe
Anderson, S.	Brynaert	Demmer	Erickson	Hackbarth	Hornstein
Anzels	Buesgens	Dettmer	Faust	Hamilton	Hortman
Atkins	Bunn	Dittrich	Finstad	Hansen	Hosch
Beard	Carlson	Dominguez	Fritz	Haws	Howes
Benson	Clark	Doty	Gardner	Heidgerken	Huntley
Berns	Cornish	Eastlund	Garofalo	Hilstrom	Jaros
Bigham	Davnie	Eken	Gottwalt	Hilty	Johnson

Juhnke	Lillie	Morrow	Pelowski	Simon	Tschumper
Kahn	Loeffler	Mullery	Peppin	Simpson	Urdahl
Kalin	Madore	Murphy, E.	Peterson, N.	Slawik	Wagenius
Knuth	Magnus	Murphy, M.	Peterson, S.	Slocum	Walker
Koenen	Mahoney	Nelson	Poppe	Smith	Ward
Kohls	Mariani	Nornes	Ruth	Solberg	Wardlow
Kranz	Marquart	Norton	Ruud	Sviggum	Welti
Laine	Masin	Olin	Sailer	Swails	Westrom
Lanning	McFarlane	Olson	Seifert	Thao	Winkler
Lenczewski	McNamara	Otremba	Sertich	Thissen	Wollschlager
Liebling	Moe	Ozment	Severson	Tillberry	Zellers
Lieder	Morgan	Paymar	Shimanski	Tingelstad	Spk. Kelliher

Those who voted in the negative were:

Rukavina

The bill was passed and its title agreed to.

S. F. No. 1168, A bill for an act relating to commerce; amending insurance requirements for building contractors; amending Minnesota Statutes 2006, section 326.94, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Dittrich	Hilstrom	Liebling	Olin	Smith
Anderson, B.	Dominguez	Hilty	Lieder	Olson	Solberg
Anderson, S.	Doty	Holberg	Lillie	Otremba	Sviggum
Anzenc	Eastlund	Hoppe	Loeffler	Ozment	Swails
Atkins	Eken	Hornstein	Madore	Paymar	Thao
Beard	Emmer	Hortman	Magnus	Pelowski	Thissen
Berns	Erhardt	Hosch	Mahoney	Peterson, N.	Tillberry
Bigham	Erickson	Howes	Mariani	Peterson, S.	Tingelstad
Bly	Faust	Huntley	Marquart	Poppe	Tschumper
Brown	Finstad	Jaros	Masin	Rukavina	Urdahl
Brynaert	Fritz	Johnson	McFarlane	Ruth	Wagenius
Bunn	Gardner	Juhnke	McNamara	Ruud	Walker
Carlson	Garofalo	Kahn	Moe	Sailer	Ward
Clark	Gottwalt	Kalin	Morgan	Seifert	Wardlow
Cornish	Greiling	Knuth	Morrow	Sertich	Welti
Davnie	Gunther	Koenen	Mullery	Severson	Westrom
Dean	Hackbarth	Kohls	Murphy, E.	Shimanski	Winkler
DeLaForest	Hamilton	Kranz	Murphy, M.	Simon	Wollschlager
Demmer	Hansen	Laine	Nelson	Simpson	Zellers
Dettmer	Haws	Lanning	Nornes	Slawik	Spk. Kelliher
Dill	Heidgerken	Lenczewski	Norton	Slocum	

Those who voted in the negative were:

Buesgens Peppin

The bill was passed and its title agreed to.

S. F. No. 1294, A bill for an act relating to utilities; authorizing electronic filing with Public Utilities Commission; making technical and clarifying changes; amending Minnesota Statutes 2006, sections 216.15; 216.17; 216.18; 216B.18; 216B.241, by adding a subdivision; 216B.26; 216B.33; 216B.62, subdivisions 3, 4, 6; 216B.63; 216E.07; 237.295.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Hilstrom	Liebling	Olin	Slocum
Anderson, B.	Dittrich	Hilty	Lieder	Olson	Smith
Anderson, S.	Dominguez	Holberg	Lillie	Otremba	Solberg
Anzelc	Doty	Hoppe	Loeffler	Ozment	Sviggum
Atkins	Eastlund	Hornstein	Madore	Paymar	Swails
Beard	Eken	Hortman	Magnus	Pelowski	Thao
Benson	Emmer	Hosch	Mahoney	Peppin	Thissen
Berns	Erhardt	Howes	Mariani	Peterson, N.	Tillberry
Bigham	Erickson	Huntley	Marquart	Peterson, S.	Tingelstad
Bly	Faust	Jaros	Masin	Poppe	Tschumper
Brown	Finstad	Johnson	McFarlane	Rukavina	Urdahl
Brynaert	Fritz	Juhnke	McNamara	Ruth	Wagenius
Bunn	Gardner	Kahn	Moe	Ruud	Walker
Carlson	Garofalo	Kalin	Morgan	Sailer	Ward
Clark	Gottwalt	Knuth	Morrow	Seifert	Wardlow
Cornish	Greiling	Koenen	Mullery	Sertich	Welti
Davnie	Gunther	Kohls	Murphy, E.	Severson	Westrom
Dean	Hackbarth	Kranz	Murphy, M.	Shimanski	Winkler
DeLaForest	Hamilton	Laine	Nelson	Simon	Wollschlager
Demmer	Hansen	Lanning	Nornes	Simpson	Zellers
Dettmer	Haws	Lenczewski	Norton	Slawik	Spk. Kelliher

Those who voted in the negative were:

Buesgens Heidgerken

The bill was passed and its title agreed to.

Sertich moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Greiling moved that the name of Urdahl be added as an author on H. F. No. 236. The motion prevailed.

Davnie moved that the name of Dittrich be added as an author on H. F. No. 1004. The motion prevailed.

Haws moved that the name of Howes be added as an author on H. F. No. 1168. The motion prevailed.

Benson moved that the name of Olin be added as an author on H. F. No. 1233. The motion prevailed.

Nelson moved that the name of Wollschlager be added as an author on H. F. No. 1283. The motion prevailed.

Hamilton moved that his name be stricken as an author on H. F. No. 1445. The motion prevailed.

Moe moved that the name of Slocum be added as an author on H. F. No. 1508. The motion prevailed.

Murphy, M., moved that the name of Bly be added as an author on H. F. No. 1676. The motion prevailed.

Davnie moved that the name of Abeler be added as an author on H. F. No. 1692. The motion prevailed.

Hornstein moved that the name of Abeler be added as an author on H. F. No. 1714. The motion prevailed.

Dettmer moved that the name of Abeler be added as an author on H. F. No. 1914. The motion prevailed.

Hackbarth moved that the name of Abeler be added as an author on H. F. No. 1965. The motion prevailed.

Tschumper moved that the name of Liebling be added as an author on H. F. No. 1986. The motion prevailed.

Tschumper moved that the name of Liebling be added as an author on H. F. No. 1997. The motion prevailed.

Dittrich moved that the name of Abeler be added as an author on H. F. No. 2032. The motion prevailed.

Kahn moved that the name of Abeler be added as an author on H. F. No. 2044. The motion prevailed.

Atkins moved that the name of Abeler be added as an author on H. F. No. 2061. The motion prevailed.

Brod moved that the name of Abeler be added as an author on H. F. No. 2076. The motion prevailed.

Ward moved that the names of Howes and Moe be added as authors on H. F. No. 2090. The motion prevailed.

Marquart moved that the name of Hansen be added as an author on H. F. No. 2142. The motion prevailed.

Magnus moved that the name of Bly be added as an author on H. F. No. 2200. The motion prevailed.

Otremba moved that the name of Abeler be added as an author on H. F. No. 2234. The motion prevailed.

Peterson, A., moved that the name of Westrom be added as an author on H. F. No. 2253. The motion prevailed.

Fritz moved that the name of Bly be added as an author on H. F. No. 2301. The motion prevailed.

Welti moved that the name of Ruud be added as an author on H. F. No. 2319. The motion prevailed.

Peterson, A., moved that the names of Bly and Westrom be added as authors on H. F. No. 2320. The motion prevailed.

Peterson, A., moved that the names of Bly and Westrom be added as authors on H. F. No. 2321. The motion prevailed.

Winkler moved that the name of Slocum be added as an author on H. F. No. 2325. The motion prevailed.

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 12:30 p.m., Monday, March 26, 2007. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:30 p.m., Monday, March 26, 2007.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

